

STATE OF GEORGIA
Community Development Block Grant Program

Redevelopment Fund Program
Application Manual



Georgia Department of Community Affairs
Community Development and Finance Division
Office of Economic Development
60 Executive Park South, N.E.
Atlanta, Georgia 30329-2231
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An Equal Opportunity Employer

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Overview of the Program

The purpose of the Redevelopment Fund Program is to provide flexible financial assistance to local governments for implementing challenging economic and community redevelopment projects that cannot be undertaken with existing public sector grant and loan programs. The Redevelopment Fund will reward locally initiated public/private partnerships by providing financing to leverage investments in commercial, downtown and industrial redevelopment and revitalization projects that need public investment to proceed.

While all Community Development Block Grant (CDBG)-funded projects funded under the Redevelopment Fund must meet applicable low- and moderate-income criteria, the Redevelopment Fund will allow projects to be approved for funding using the CDBG program's "eliminating slums or blight" national objective. The "slum or blight" emphasis will allow many smaller scale projects (in downtowns, blighted industrial areas, etc.) to be competitive for Redevelopment Fund financing. Each CDBG activity must meet minimum threshold requirements for low- and moderate-income benefit. For housing and public facilities projects, the minimum benefit to low- and moderate income persons is 70%. Projects that will result in job creation or retention or those that benefit to clientele must insure that at least 51 percent of the benefit is made available to low- and moderate-income persons.

We encourage potential applicants to contact us to discuss their projects. You may contact:

(Vacant), the RDF Program Manager, at (404) 679-1738 (e-mail:), or
Joanie Perry, Director, Office of Economic Development at (404)679-3173
Or by email: jperry@dca.state.ga.us; or
Glenn Misner, Director, Office of Field Services, at (404) 679-3138
Or by email: gmisner@dca.state.ga.us; or
OED's Economic Development program representatives.

Part I General Information

Before You Submit Your Redevelopment Fund Application

In order to engage communities considering Redevelopment Fund assistance as early as possible, DCA has developed an Initial Project Assessment (IPA) process to help determine if your project meets the intent of the program and is eligible for Redevelopment Fund financing. This process will also allow applicants and DCA to assess the potential competitiveness of a proposed project prior to developing a full application. **Please Note: The Redevelopment Fund's rating and selection system will give preference to downtown and industrial redevelopment/ revitalization projects.**

Because some projects, most often economic development projects rather than redevelopment projects, run on schedules that are time-sensitive, CDBG and DCA regulations allow potential applicants to request "pre-agreement cost approval" (PACA) from DCA that authorizes the potential applicant and beneficiary business to commence project activities and maintain project timetables while applying for RDF assistance. Upon submittal of an IPA, DCA will issue PACA which allows a project to move forward prior to submission on an application or award of funds while maintaining the eligibility of the funded activity that might take place prior to the submission of an application and receipt of a grant award. Applicants will generally have ninety (90) days from the date of DCA's PACA letter to submit a RDF application.

DCA strongly recommends that potential applicants contact DCA (through our Office of Economic Development in Atlanta or your OED Regional Representative) to schedule an IPA meeting prior to submitting a formal Redevelopment Fund application. An IPA may be submitted at any time, but must be in the format included with this application package. Please consult Part II of this manual entitled "Forms and Instructions" for further details on the IPA process.

Deadlines for Applications

Local governments may submit applications at any time as long as funds are available. Please mail an original and five (5) copies to:

Redevelopment Fund Program
Office of Economic Development
Georgia Department of Community Affairs
60 Executive Park South, N.E.
Atlanta, Georgia 30329-2231

Applications

Applications are eligible for funding only if they meet the application threshold requirements outlined in the State of Georgia's Redevelopment Fund Program (RDF) Regulations. In order to meet the Redevelopment Fund threshold requirements, an application must receive at least 375 points under the Redevelopment Fund Rating and Selection System. Furthermore, the application's review must ensure that all appropriate funding criteria have been considered, and that the project conforms to the objectives of Title I of The Housing and Community Development Act of 1974, as amended, and can be carried out in compliance with all applicable federal, state, or local laws, regulations or requirements.

The locality submitting the RDF application must certify the project has met (or will meet) the requirements of the National Environmental Policy Act (NEPA) as specified in Georgia's CDBG Program Regulations and CDBG Recipient's Manual. *(Refer to Section 2: ERR (Environmental Review Requirements) in the most recent CDBG Recipient's Manual and the Environmental Assessment, Statutory Checklist and other related forms).*

The locality submitting the RDF application must hold a public hearing and pass a local resolution authorizing submittal of the application in accordance with the requirements of the State's CDBG and Redevelopment Fund program regulations and guidelines. The public notice and minutes of the hearing along with a copy of the local resolution should be included in the application. (See Citizens Participation Requirements section below for details.)

In order to meet federal funding requirements, various forms, certifications and documents are required to be submitted with a RDF application. Therefore, applications for the RDF program must be submitted in conformance with the format and applicable instructions specified by the Department of Community Affairs within this Application Manual. To be considered complete, an application must contain all the appropriate elements listed on the RDF Application Completeness Checklist including all supplemental documentation requested for the appropriate project type (either public facilities or assistance to a private, for-profit business) and must include original signatures of the applicant's certifying representative on the Redevelopment Fund Application Summary Form (Form DCA-1 RD), the Certified Assurances Form (Form DCA-10) and the CDBG/Redevelopment Fund Disclosure Report (Form DCA-13). All forms and checklists are included in this packet.

Awards will be made to those applications that receive a funding recommendation until all available funds are exhausted. Please check with DCA to determine if funds are still available before submitting an application. In cases where fundable applications exceed available funds, the applicant with the highest benefit for low- and moderate-income persons will be given priority.

Maximum Award and Annual Set-Aside Amounts

The maximum award under this program is \$500,000. Although there is no match requirement, in order to receive bonus points consideration, there should be at least one dollar in other funds committed for each dollar in Redevelopment Funds requested. The source of the leveraged funds can be from local, state, or federal government or private sources. DCA sets aside \$1,500,000 or three percent (3%), whichever is greater, from each federal fiscal year's allocation to the DCA for the CDBG Program.

Eligible Applicants

Eligible applicants include units of general-purpose local government that are not metropolitan cities, urban counties and other units of government eligible to participate in HUD's urban counties or metropolitan cities program.

It should also be emphasized, that to be eligible as a sub-recipient of RDF funding, neither the business or principal(s) should appear on the Georgia Department of Revenue's delinquent tax list.

Ineligible applicants under Georgia's program are the cities of:

- Albany
- Atlanta
- Brunswick
- Dalton
- Gainesville
- Hinesville
- Macon
- Marietta
- Rome
- Roswell
- Savannah
- Valdosta
- Warner Robins

as well as the consolidated governments of:

- Athens/Clarke County
- Augusta/Richmond County
- Columbus/Muskogee County

And the counties of:

- Clayton
- Cobb
- DeKalb
- Fulton
- Gwinnett
- as well as any incorporated city within a HUD Entitlement Urban County that chooses to participate with the Urban County through a Cooperating Agreement.

Receipt of an annual competition CDBG grant, Employment Incentive Program grant or Immediate Threat and Danger Grant does not disqualify an applicant for a Redevelopment Fund grant. Recipients of prior CDBG funding must resolve all outstanding audit, and/or monitoring (compliance) findings prior to an application for a Redevelopment Grant. Sanctions applied under any of the other CDBG grant programs will also apply to this program.

Special Requirements for Joint Applications

Applications may be submitted individually by one unit of general-purpose local government, or jointly by two (2) or more units of general-purpose local government. Generally, joint applications are **necessary** when the project benefit is not located within a single jurisdiction. Please consult DCA on questions concerning joint applications. Joint applications must include:

1. A copy of the Cooperating Agreement entered into by the cooperating units of government. This agreement should designate the unit of government that will serve as the lead applicant. A sample cooperating agreement is included in the Application Guide.
2. Evidence of separate public hearings for each jurisdiction. A single public hearing, however, may serve the needs of each jurisdiction, provided that (a) each jurisdiction shares a central location and (b) the hearing is clearly publicized by both (or jointly publicized by each) jurisdictions. If a single hearing is proposed, please contact DCA for guidance. For further information, please refer to "Citizens Participation Requirements" further outlined in this manual.

Eligible Activities

Activities that are eligible under the Housing and Community Development Act of 1974, as amended, and the HUD implementing regulations applicable to the State CDBG Program are eligible for funding under this special redevelopment set-aside.

Each activity listed in this section is eligible only to the extent that it eliminates or prevents slums or blight in an area designated by the applicant as such and benefits low- and moderate-income persons. For housing and public facilities projects, the minimum benefit to low- and moderate income persons is 70%. Projects that will result in job creation or retention or those that benefit to clientele must insure that at least 51 percent of the benefit is made available to low- and moderate-income persons.

Eligible activities are those activities which help to prevent or eliminate slums and blighted conditions. These activities must meet the criteria of one of the three following categories:

- Prevent or eliminate slums and blight on an area basis;
- Prevent or eliminate slums and blight on a spot basis; or
- Be in an urban renewal area.

Please consult DCA for guidance prior to submitting an application. Examples of eligible CDBG activities that may be funded include, but are not limited to, the following:

1. Activities carried out by units of general local government and/or other local public authorities including: a) acquisition of real property; b) acquisition, construction, reconstruction, rehabilitation, or installation of (i) public facilities (except for buildings for the general conduct of government), site improvements, and utilities, and (ii) commercial or industrial buildings or structures and other commercial or industrial real property improvements; and
2. Provision of direct assistance to private for-profit entities, when the assistance is appropriate to carry out an economic development project. However, such assistance may not be in the form of outright grants, guarantees, or technical assistance. In addition, financial assistance to private for-profit entities must be made contingent upon firm commitments of financial participation from other private sources such as banks or the private for-profit entities themselves. Such assistance must also create or retain permanent jobs principally for low- and moderate-income persons.

It should be noted that any assistance provided to private businesses must be “recaptured” by the local government and shall be considered program income. In cases of loan foreclosures, DCA may, on a case-by-case basis, allow for additional administrative and legal expenses to be paid out of the loan and/or foreclosure proceeds.

Definition of Slums and Blight

As part of the RDF Program, the Department will allow local governments in cooperation with their downtown development authorities, cooperating corporations and/or other commercial enterprises to propose certain CDBG activities under an “elimination of slum or blight” national objective. Any activities proposed under the slums or blight national objective must meet one of the following standards in accordance with 24 CFR Part 570.483:

1) Activities to address slums or blight on a ‘spot basis’

Acquisition, clearance, relocation, historic preservation and building rehabilitation activities which eliminate specific conditions of blight or physical decay on a spot basis that may not be located in a slum or blighted area. The blight or physical decay must be documented by the unit of local government to meet local or state definitions of blight and physical decay (a sample resolution declaring slum or blight is included as Appendix G). Under this standard, the activity is limited to the extent necessary to eliminate specific conditions detrimental to the public health and safety. Examples include: elimination of faulty wiring, falling plaster, or other similar conditions which are detrimental to all potential occupants; historic preservation of a public facility; and demolition of a vacant, deteriorated building.

2) Activities to address slums or blight on an “area basis”

- a) The area, delineated by a unit of local government, meets a definition of a blighted, deteriorated, deteriorating, or slum area under state or local law;
- b) Throughout the area there is a substantial number of deteriorating buildings or the public improvements are in a general state of deterioration;
- c) The assisted activities address one or more of the conditions which contributed to the deterioration of the area; and
- d) The local government keeps records sufficient to document its finding that a project meets the National Objective of elimination or prevention of slums and blight.

Definition of Low- and Moderate-Income Person

A low- and moderate-income person is defined as a member of a family having a combined gross family income (i.e., the full amount of gross income, before deductions, of all family members residing in the household) equal to or less than the Section 8 Housing Assistance Program “lower income limit” established by the U.S. Department of Housing and Urban Development (HUD). Unrelated individuals are considered as separate families.

The Section 8 income guidelines are available for each county in Georgia and are based on 80 percent of the county’s median income or 80 percent of the statewide non-metropolitan median income, whichever is greater, with adjustments for family size. Income guidelines are published each spring and are distributed by HUD and DCA. To obtain the income limit guidelines for your county, contact DCA at (404) 679-1589 or visit our web site at: <http://www.dca.state.ga.us/communities/CDBG/programs/CDBGforms.asp>.

Limitation of Administrative, Architectural, and Professional fees

Administrative and closing costs paid with Redevelopment Funds shall be limited to six percent (6%) of the award amount. The six percent (6%) administrative cost limitation is applicable whether costs are paid directly to the recipient or financed as a portion of a RDF sub-recipient loan.

Architectural and Engineering costs paid with Redevelopment Funds shall be limited to ten percent (10%) and twelve percent (12%), respectively, of the award amount. The limits for engineering and architectural services are based on a pro-rata share of construction costs paid for with CDBG funds.

Procurement for Application Development and other Professional Services

These provisions apply, typically, to contracts with private consultants, engineers and architects. Applicants are advised that CDBG payments for professional services are subject to the “competitive negotiation” requirements of 24 CFR Part 85 (Common Rule). Note that this process is not required when contracting with Regional Development Centers.

To comply, the applicant government (not the individual or firm proposing to provide services) should:

- Develop a request for proposal (RFP) that includes evaluation factors selected by the applicant. A Request for Qualifications may also be acceptable. (Contact DCA for assistance.)
- Publicize the RFP. This is most often accomplished by publishing it in the applicant’s “legal organ.”
- Send a letter with copy of RFP to a number of “known providers.” When soliciting firms to develop applications/administer projects, RFP’s should be sent to at least seven (7) known providers. When soliciting engineering/architectural services, RFP’s should be sent to at least ten (10) providers. As a service to applicants, recipients and others, DCA maintains a list of professionals who have expressed an interest in proposing on CDBG projects. This is not an “approved” list. DCA does not approve or disapprove professionals, this is the applicant’s or recipient’s responsibility.
- Negotiate with respondents to the RFP (preferably with at least two).
- Prepare documentation (file memo, etc.) that evaluates proposals and establishes reasons (based on criteria in the RFP) for contractual recommendations.
- Consult city or county attorney with above recommendations and proposed contract.
- Based upon established reasons and attorney’s recommendation, obtain full council and/or commission approval and execute contract. Letter(s) thanking unsuccessful respondents for making a proposal should then be sent. Based on evaluation criteria contained in the RFP, this letter should state reasons why the respondent was not hired.

Sept. 2007 Update

Applicants may at their discretion use this procurement process to select professionals to prepare an application. Applicants are cautioned, however, only to obligate CDBG/RDF funds after a grant is awarded. Initial contracts should only obligate the applicant to compensate for costs of application preparation. (Note that this cost is not eligible for reimbursement under the CDBG/RDF Program.) If the professional is selected to prepare the application and provide additional services upon award, follow the procurement procedure outlined above.

Citizen Participation Requirements

The Housing and Community Development Act emphasizes efforts to involve citizens, especially low- and moderate-income citizens, in all aspects of the CDBG Program. As required by the Act, DCA has adopted a written Citizen Participation Plan, which can be found on the DCA web site at: <http://www/dca.state.ga.us/grants/CitizenParticipationPlan.pdf>.

Applicants for and recipients of CDBG/RDF funds certify that they will follow this plan requiring that units of local government will provide for and encourage participation in the planning, implementation, and assessment of their CDBG/RDF program. In order to meet these goals, applicants must, at a minimum, meet the following requirements:

1. Hold at least one (1) public hearing in the locality prior to submission of an application to DCA. The purpose of the hearing will be to obtain citizens' views and to respond to proposals and questions concerning previous CDBG funded projects (if any) and to obtain citizen participation in the development of proposals including identification of community needs and proposed activities. The hearing must include the estimated amount of funds proposed to be used for activities benefiting low- and moderate-income persons and plans to minimize displacement and assist displaced persons.
2. Hold at least one (1) public hearing to discuss the approved activities within sixty (60) days after acceptance of the grant award. The hearing must include the estimated amount of funds proposed to be used for activities benefiting low- and moderate-income persons and plans to minimize displacement and assist displaced persons.
3. Hold at least one (1) public hearing if a grantee proposes a substantial amendment to the program, as defined in the CDBG Recipients' Manual published by DCA.
4. At the completion of the project, the recipient shall hold a public hearing on its performance and accomplishments of the project. The recipient shall make the report available to the public and solicit comments on performance prior to grant close out.
5. A notice of publication advertising each public hearing must be published not less than five (5) days prior to the date of the hearing in the **non-legal** section of a local newspaper of general circulation. (A sample public hearing notice follows.) Local governments are encouraged to take other actions to provide adequate notice to potentially interested persons.
6. A copy of the application as submitted to DCA must be available for public review and the public must be notified of its availability for review.
7. Hearings must be held at times and locations convenient to potential or actual beneficiaries and with accommodations for the needs of the disabled.
8. The needs of non-English speaking residents must be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate.

Sept. 2007 Update

9. Applicant/recipient files must contain evidence that the actions listed in this section have been taken, including copies of actual notices and minutes of hearings.
10. Applicants and recipients must provide technical assistance to groups representative of persons of low- and moderate-income that request such assistance in developing proposals, with the level and type of assistance to be determined by the local unit of government.
11. Citizens must be provided with reasonable and timely access to local meetings, information and records relating to the local government's proposed and actual use of CDBG/Redevelopment Fund funds as required by HUD regulations and state law.
12. This section may not be construed to restrict the responsibility or authority of the local government for the development and execution of its community development program.
13. The applicant must certify in the Certified Assurances component of the application (Form DCA-10) that requirements under items 1 through 12 have been met.

SAMPLE PUBLIC HEARING NOTICE

The (city or county) of (name of city or county) is considering applying to the Georgia Department of Community Affairs (DCA) for a Redevelopment Fund (grant or loan) of up to \$(amount of funds). These funds must generally be used for the following purpose:

1. to benefit low- and moderate-income persons; or
2. to aid in the prevention or elimination of slums or blight; or
3. to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community where other financial resources are not available to meet such needs. The applicant must certify and the Georgia DCA must concur that such conditions exist.

The activities for which these Redevelopment Funds may be used are in the area of economic development. More specific details regarding eligible activities, plans to assist displaced persons (if any), the estimated amount of funds proposed to be used for activities to benefit low- and moderate-income persons, and the rating system will be provided at a public hearing which will be held at (place/address) on (date), at (time).

The purpose of this hearing will be to obtain citizen input into the development of the application and to review progress on the previous CDBG grant(s) (if applicable). Persons with special needs relating to handicapped accessibility or foreign language shall contact (name/phone) prior to (date). This person can be located at (complete address) between the hours of (hours am – pm), Monday through Friday, except holidays. Persons with hearing disabilities can contact us at our TDD number (AC + number). [Applicants who do not have a TDD phone may consider using the Georgia Relay Service, at (TDD) 1-800-255-0056 or (Voice) 1-800-255-0135.]

NOTE: *The applicant shall maintain detailed minutes of this hearing, a "tearsheet" or affidavit pertaining to the public notice and documentation as to whether or not "special needs" were required and, if applicable, addressed.*

Residential Anti-Displacement Provisions

The Housing and Community Development Act of 1987 contained new provisions concerning displacement and relocation assistance that became effective with respect to any grants made by the State after October 1, 1988. Most redevelopment program strategies will most likely not be impacted by this rule; however, DCA will provide detailed guidance at the request of any applicant.

The 1987 Act also provides that a grantee receiving CDBG or RDF grant must certify that it is following a residential anti-displacement and relocation assistance plan. This certification will be required even though no residential displacement might occur as a result of a RDF project.

Open Records Statute

Georgia Law requires that “all state, county, and municipal records, except those which by order of the court of this state or by law are prohibited from being open to inspection by the general public, shall be open for personal inspection of any citizen of this state at a reasonable time and place, and those in charge of such records shall not refuse this privilege to any citizen.” (O.C.G.A. § 50-18-70). This means that past and current records on the use of CDBG/RDF funds are required to be open for public inspection.

However, certain proprietary information which may be required by DCA to be included in an application and must be supplied by a business in order to compete and which constitutes a “trade secret” (O.C.G.A. § 10-1-740 et seq.; 16-8-13(a)(4)) is exempt from disclosure under O.C.G.A. § 50-18-70.

Rating and Review Procedures

DCA staff will review applications received for completeness. If an application is incomplete, we will contact the applicant in writing within approximately 10 days to request the additional document(s) and information required to review and rate the application. If the application is considered complete as submitted, the applicant will be notified in writing as well within 10 days. No further review of an incomplete application will take place until all requested information is supplied.

Once an application is complete, DCA staff will evaluate the application against the various rating and selection factors set forth in this application packet and the RDF regulations. The rating and selection factors for the program are those specified under the “Rating System” section below, and any additional or supplemental information, data, analyses, documentation, commitments, assurances, etc. as may be required or requested to evaluate, rate, and select applicants under this program.

The staff may conduct site visits and hold discussions with applicants and proposed subrecipients and beneficiaries to confirm and evaluate application information. The staff may consult with other appropriate government and private entities in the course of reviewing and evaluating information contained in applications.

Once scores are totaled, applications/projects with scores of at least 375 points, that meet all appropriate funding criteria, that conform to the objectives of Title I of the Housing and Community Development Act of 1974, as amended, and that can be carried out in compliance with all applicable federal, state or local law, regulations or requirements will be funded, unless funding has been exhausted. Generally, RDF funding announcements are made within 45 days from receipt of a complete application.

Rating System

Complete applications will be rated and points awarded based on the following point system:

<u>FACTOR</u>	<u>MAXIMUM POINTS</u>
1. Demographic Need	120
2. Project Feasibility	210
3. Project Strategy and Innovation	240
4. Leverage of Additional Resources	30
<hr/>	
TOTAL MAXIMUM POINTS	600

Minimum score for funding: 375.

Factor 1: Demographic Need

Demographic Need points are calculated based on three factors:

- 1) *Absolute number of people in poverty*: Scores are calculated by dividing the number of persons in poverty in the community by the greatest number of persons in poverty of any CDBG applicant and multiplying by 40.
- 2) *Percent of people in poverty*: Scores are calculated by dividing the applicant's percentage of persons in poverty by the highest percentage of persons in poverty of any CDBG applicant and multiplying by 40.
- 3) *Per capita income*: Scores are calculated by dividing the applicant's per capita income into the lowest per capita income of any CDBG applicant and multiplying by 40.

Note: Demographic scores are calculated by DCA based on county data. The number and percentage of persons in poverty is based on the U.S. Bureau of the Census' most recent data that is consistent as of the same point of time for all applicants. Per capita income will be based on the most recent available data that is consistent as of the same point of time for all applicants.

Factor 2: Feasibility

Project Feasibility points are based on how each application addresses the following: eligibility of proposed activity, reasonableness of costs, compliance with applicable state and federal laws, project timetables and confirmation of required financial resources, completeness of proposed plans and specifications, reasonableness of the sub-recipient's proposed business plan(s) and financial projections, reasonableness of any site clean-up proposal and plan, and conformance with applicable underwriting and review requirements contained in 24 CFR Part 570. Points for feasibility will be awarded by a DCA staff review panel as follows:

Level One (Poor)	-0-
Level Two (Fair)	52.5
Level Three (Good)	105.0
Level Four (Very Good)	157.5
Level Five (Excellent)	210.0

Factor 3: Strategy

Strategy points are based on: the severity of need, documentation that a project's public benefits will exceed project costs, documentation that the proposed strategy meets the eligibility criteria and a national objective of the CDBG program, documentation that the project complies with all local ordinances, state laws, and state regulations. Points will be awarded by a DCA staff review panel as follows:

Level One (Poor)	-0-
Level Two (Fair)	60.0
Level Three (Good)	120.0
Level Four (Very Good)	180.0
Level Five (Excellent)	240.0

Factor 4: Leverage

Leverage points are awarded based on a firm commitment of additional resources directly related to the project, including capital costs and new funds for operation of any proposed program(s). The "leverage ratio" of other private or public funds will be the criterion considered. A reasonable value must be assigned to donated and in-kind items. The leverage score will be calculated based on the total value of leverage for each applicant. Applications with no leverage will receive no points. Points will be awarded by DCA staff review panel as follows:

Level One (Poor)	-0-
Level Two (Fair)	7.5
Level Three (Good)	15.0
Level Four (Very Good)	22.5
Level Five (Excellent)	30.0

Pre-decision Site Visits

The Department of Community Affairs may make a site visit to the applicant during the application review process to verify information contained in the application.

Special Provisions for RDF Capitalized Local Revolving Loan Funds (RLFs)

1. The Department may permit localities that have or will receive revenue (or “program income,” i.e., principal, interest or other payments) from RDF or other CDBG loans or leases to retain that revenue so long as it is used for an eligible CDBG activity and is also used in accordance with the requirements of this regulation and any other applicable federal, state, or local laws, regulation, contract, guidance manual or memoranda.
2. For localities that will retain program income, the Department will require that such revenue be deposited into a separate revolving loan fund (RLF) and used to carry out specific Title I eligible activities. The RLF must be created by a local resolution and implemented by local policies and procedures approved by the Department.
3. In order to assist local governments in creating and maintaining a local RLF, the Department publishes regulations and an RLF manual (“Guidelines for the Administration of Local Revolving Funds”) which contains detailed information on the creation and management of a RDF-capitalized RLF.
4. If a locality is successful in obtaining a RDF grant that will generate program income, the locality will be required to formally adopt RLF policies and procedures prior to drawing down any RDF funds. The locality will also be responsible for completing a semi-annual report that notifies DCA of the current RLF fund balance and specific uses on which RLF monies have been spent. Recipients will be provided copies of the report format and instructions at the time of grant award.
5. Localities that are allowed to retain program income must ensure that the RLF is adequately managed. The Department will categorize the RLF as being adequately managed so long as the following responsibilities are being met:
 - a. maintenance of an accounting and financial management system that complies with generally accepted accounting principals and the Department's guidelines for RLF financial management systems;
 - b. compliance with the Department's reporting requirements for local RLFs;
 - c. operation of the local RLF in accordance with DCA-approved policies, procedures, and federal, state, and local law, regulation, contracts, guidance manuals and memoranda;
 - d. maintenance of an application review and selection committee which has the capacity to review and analyze funding requests and determine whether such requests represent prudent investments as defined by generally accepted underwriting criteria;
 - e. maintenance of a loan or grant packaging and structuring capacity which meets appropriate underwriting standards for security and documentation;
 - f. maintenance of a loan servicing and monitoring capacity which ensures that loan payments are collected, that loan covenants are enforced, and that loan security is maintained;
 - g. maintenance of a loan portfolio which represents investments in businesses engaged in sound business purposes that have demonstrated tangible employment of low- and moderate-income persons as defined by DCA; and
 - h. attendance at DCA sponsored training workshops that will be held periodically for purposes of training local RLF administrators.
6. In order to assist with the financing of a local RLF program's administrative cost, DCA will allow (on an annual basis) the greater of 5% or \$2,500 of interest earned by the RLF to be used for administration and audit costs. In certain foreclosure and/or hardship situations, DCA may allow additional amounts to be expended for administrative, audit or legal costs.

7. Localities that are allowed to retain program income must also ensure that the RLF is utilized in a timely and efficient manner. The Department will categorize an RLF as being adequately utilized so long as the following criteria are met:
 - a. The RLF is used only for eligible CDBG economic development activities described in 42 U.S.C. 5305(a) sections: (1), (14), (17), (22) or other code section as may be specifically approved by DCA; and
 - b. The RLF's cash assets (on average) do not exceed 30% of total RLF assets or \$125,000, whichever is more.

Should a locality be unable to utilize the RLF in accordance with 7a and 7b above, the locality may request the DCA to waive the 7a and 7b provisions. The Department may grant waivers when it is determined that sufficient future activity is probable or the locality is taking steps to ensure future activity. However, in general a locality may not retain unused revenue any longer than the full term of the original RDF loan.

<p>NOTE: Please refer to the current Consolidated Plan of the State of Georgia for the Special Provisions for EIP or RDF Capitalized Local RLFs. The RLF Guidelines will be available upon request, but normally provided with a grant award package involving a direct loan.</p>
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GENERAL INFORMATION

Compliance Requirements

It is the applicant certifying official's responsibility to ensure that the proposed program, activities, goals, and timetables are in compliance with all applicable Federal and State laws, regulations and executive orders. The major applicable laws, regulations and executive orders include, but are not limited to, the following:

General:

1. The Housing and Community Development Act, as amended and as implemented by the most current HUD regulations (24 CFR Part 570).
2. State of Georgia Community Development Block Grant Program Regulations.
3. Title 50, Chapter 18, Article 4, Official Georgia Code, Georgia Open Records Act.

Financial Management:

4. 24 CFR Part 85 (known as the "Common Rule", replaces Federal OMB Circular A-102).
5. Federal OMB Circular A-128.
6. Federal OMB Circular A-87.

Civil Rights:

7. Title VI - Civil Rights Act of 1964.
8. Section 109 - Title I - Housing and Community Act of 1974, as amended.
9. Title VIII of the Civil Rights Act, 1968.
10. Section 504 of the Rehabilitation Act of 1973.
11. Executive Order 11246 - Equal Employment Opportunity, as amended by Executive Order II 375, Parts 11 and III.
12. Executive Order 11063 - Equal Employment Opportunity, as amended by Executive Order 12259.
13. Section 3 of the Housing and Development Act of 1968, as amended, and HUD regulation 24 CFR Part 135.
14. Georgia Department of Community Affairs Civil Rights Compliance Certification.
15. Age Discrimination Act of 1975.
16. Executive Order 12432: National priority to Develop Minority and Women Owned Businesses.

Labor Standards:

17. The Contract Work Hours and Safety Standards Act (40 U.S.C. 327-330) as supplemented by Department of Labor regulations.
18. The Davis-Bacon Act (40 U.S.C. 276(a) to (a-7), as supplemented by Department of Labor regulations.
19. The Copeland "Anti- Kickback" Act (18 U.S.C. 874) as supplemented by Department of Labor regulations.

Acquisition/Relocation:

20. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. (46 U.S.C. 4601) and regulations at 24 CFR, Part 42.
21. The Georgia Relocation Assistance and Land Acquisition Policy Act of 1973.
22. The Georgia Urban Redevelopment Law (OCGA, Section 36-61 - 1, et. seq.)

Housing:

23. The Truth in Lending Act (Regulation Z).
24. Title I Consumer Protection Act (P.L. 90321)
25. The Lead Base Paint Poisoning Prevention Act (42 CFR, Parts 35 & 570).
26. Construction Industry Licensing Board Act (O.C.G.A. Section 43-14-1, et. seq.).

Sept. 2007 Update

27. Georgia Industrial Building Act of 1982, as amended (O.C.G.A. Title 8, Chapter 2, Article 2, Part I "Industrialized Buildings"; Part 2 "Manufactured Housing (Mobile Homes)."
28. Mandatory State construction codes, as well as the Georgia State Energy Code.

Environmental:

29. The National Environment Policy Act (NEPA) of 1969 implemented by Executive Order 11514 of March 5, 1970, as amended by Executive Order 11991 of May 24, 1997 and the Council on Environmental Quality's (CEQ) NEPA Regulations, 40 CFR, Parts 1500-1508.
30. Environmental Review Procedures for the CDBG Program, HUD, (24 CFR Part 58).
31. The National Historic Preservation Act of 1966 as amended; particularly Section 106 and the Regulations of the Advisory Council on Historic-Preservation.
32. Executive Order 11593, Protection and Enhancement of the Cultural Environment, May 13, 1971; particularly Section 2(c).
33. The Reservoir Salvage Act of 1960; particularly Section 3, as amended by the Archeological and Historic Preservation Act of 1974.
34. Flood Disaster Protection Act of 1973 as amended; particularly Sections 102(a) and 202(a).
35. Executive Order 11988, Floodplain Management, May 24, 1977 (42 FR 26951 et. seq.) particularly Sections 2 and 5.
36. Executive Order 11990, Protection of Wetlands, May 24, 1977 (42 FR 56961 et. seq.) particularly Section 2(a).
37. Georgia Air Quality Act of 1978 (O.C.G.A. Section 12-9-1, et. seq.) to regulate air pollution and protect air quality.
38. Shore Assistance Act of 1977 (O.C.G.A. Section 12-5-230, et. seq.).
39. Georgia Hazardous Waste Management Act (O.C.G.A. 12-8-60, et. seq.)
40. Georgia Health Code (O.C.G.A. 31-3-1, et. seq.) regulates individual sewerage treatment systems
41. The Coastal Zone Management Act of 1972 as amended; particularly Section 307(c) and (d).
42. The Safe Drinking Water Act of 1972 as amended; particularly Section 1424(e).
43. The Endangered Species Act of 1973 as amended; particularly Section 7.
44. The Archeological and Historic Preservation Act of 1974.
45. The Coastal Resources Barriers Act of 1982, as amended.
46. The Wild and Scenic Rivers Act of 1968 as amended; particularly Section 7(b) and (c) (16 U.S.C. 1278 (b) and (c)).
47. The Clean Air Act Amendments of 1970 (P.L. 91-604, 42 U.S.C 7401 et. seq.) as amended, particularly Section 176(c) and (d) (42 U.S.C. 7506(c) and (d)).
48. HUD Environmental Standards (24 CFR, Part 51) Environmental Criteria and Standards (44 FR 40860-40866, July 12, 1979).
49. Georgia Coastal Marshlands Protection Act of 1970 (O.C.G.A. Section 12-5-280, et. seq.) to protect the ecology of marshlands/wetlands.
50. Georgia Groundwater Use Act of 1972 (O.C.G.A. Section 12-5-170, et. seq.).
51. Georgia Safe Drinking Water Act of 1977 (O.C.G.A. Section 12-7-1, et. seq.).

Conflict Of Interest Prohibitions

Generally, no person who is an elected or appointed official, employee, agent, consultant, officer or any person serving in a similar capacity with any participating public agency, that exercises or has exercised any functions or responsibilities with respect to any CDBG/RDF activities can benefit from a local CDBG/RDF project. Those persons who are in a position to participate in a decision-making process or gain inside information regarding CDBG/RDF proposed or related activities, who may obtain a personal financial interest, or benefit from the project, or have any interest in any contract, subcontract or agreement with respect to any CDBG/RDF project are also prohibited from benefiting from an RDF project. The prohibitions against benefiting from a CDBG/RDF project would apply to the covered individuals or those with whom they have family or business ties, for one (1) year following their tenure in the covered position.

The general conflict of interest prohibition rule at 24 CFR Part 570.489(h)(2) states that:

(2) *Conflicts prohibited.* Except for eligible administrative or personnel costs, the general rule is that no persons described in paragraph (h)(3) of this section who exercise or have exercised any functions or responsibilities with respect to CDBG activities assisted under this subpart or who are in a position to participate in a decision making process or gain inside information with regard to such activities may obtain a financial interest or benefit from the activity, or have an interest or benefit from the activity, or have an interest in any contract, subcontract or agreement with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter.

(3) *Persons covered.* The conflict of interest provisions for paragraph (h)(2) of this section apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the state, or of a unit of general local government, or of any designated public agencies, or subrecipients which are receiving CDBG funds.

The Department of Community Affairs interprets this regulation in its broadest sense. DCA applies the ordinary meaning of the term “family or business ties” as follows:

- **Family:** “A group of people related by ancestry or marriage; relatives.”
- **Business:** “The buying and selling of commodities and services; commerce, trade.”
- **Ties:** “Something that connects, binds or joins; bond; link.”

In any situation arguably falling within the conflicts prohibited under 24 CFR Part 570.489(h)(2), as interpreted by DCA, the CDBG/RDF Recipient should immediately contact DCA for guidance.

DCA will make every effort to grant exceptions to the general conflict of interest prohibition, within the authority of 24 CFR Part 489(h)(4) and (h)(5), where prior public disclosure has occurred.

In accordance with 24 CFR Part 489(h)(5), DCA must consider the cumulative effect of the following factors, where applicable, in determining whether to grant an exception:

- (i) Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project which would otherwise not be available;
- (ii) Whether an opportunity was provided for open competitive bidding or negotiation;
- (iii) Whether the person affected is a member of a group or class of low- or moderate-income persons intended to be the beneficiaries of the assisted activity, and the exception will permit such person to receive generally the same interests or benefits as are being made available or provided to the group or class;
- (iv) Whether the affected person has withdrawn from his or her functions or responsibilities, or the decision-making process with respect to the specific assisted activity in question;
- (v) Whether the interest or benefit was present before the affected person was in a position as described in paragraph (h)(3) of this section;
- (vi) Whether undue hardship will result either to the State or the unit of general local government or the person affected when weighed against the public interest served by avoiding the prohibited conflict; and
- (vii) Any other relevant considerations.

However, note that exceptions are not always granted. To avoid the risk of having to make reimbursements to DCA, requests for exceptions should be submitted and considered by DCA **before** federal funds are expended.

Sept. 2007 Update

To seek an exception, a written request for an exception must be submitted by the unit of local government which:

- Fully discloses the conflict or potential conflict of interest, prior to the unit of government undertaking any action which results or may result in a conflict of interest, real or apparent; and
- The request must be accompanied by a description as to how the conflict of interest was publicly disclosed and a written opinion of the local government's attorney that the interest for which the exception is sought would not violate state or local law.

PART II

APPLICATION FORMS

and

INSTRUCTIONS

Formal Applications

Applicants that meet the eligibility requirements and the general intent of the RDF program may submit a formal application. DCA prefers that applicants complete an “Initial Project Assessment” prior to submitting an application, as described in the “Before You Submit Your Application” section in this manual. Each application is reviewed according to the “rating and selection” criteria described in Part I. Contact a DCA Economic Development Representative or the Program Manager for an IPA visit.

The local government must hold a public hearing prior to submitting a formal application. This hearing must be in compliance with the State’s citizens participation requirements that are described in detail in Part I, General Instructions.

Formal applications must be submitted in adherence to the format and applicable instructions as specified in this application manual. To be considered complete, an application must contain all the appropriate elements listed on the Redevelopment Fund Completeness Checklist, and must contain original signatures of the applicant’s certifying officials on the Application Summary (DCA-1), the Certified Assurances (DCA-10), and the CDBG Disclosure Report (DCA-13).

General Notes on Activity Numbering System

DCA revised the activity numbering system due to implementation of new HUD reporting and disbursement codes.

The activity number is used in this application on the Description of Activities (DCA-5), Low- and Moderate-Income Benefit and Civil Rights Data Calculation (DCA-6), the Budget Summary (DCA-7), and the Budget Analysis (DCA-8). In all instances, the activity should be referred to both by the activity number and activity name, as it appears on the Budget Summary (DCA-7).

The activity number system has two components:

③ The prefixes indicate the purpose of the activity as follows:

- ⌚ A = Administration
- ⌚ C = Contingencies
- ⌚ E = Economic Development
- ⌚ RD = Redevelopment

③ The second component is the activity code. The codes can be found on the Budget Summary Form (DCA-7). Every code is comprised of three (3) alpha or numeric characters followed by a hyphen and then two (2) additional numeric characters. This code indicates the type of activity.

For example:

- ③ E-17C-00 = Public Facilities and Improvements
- ③ E-17B-00 = Assistance to Private For-Profit Entities
- ③ A-21A-00 = Grant Administration for any CDBG/Redevelopment project
- ③ C-022-00 = Contingencies for any CDBG/Redevelopment project

		Georgia Department of Community Affairs Georgia CDBG Program Redevelopment Fund Application Summary		
Application is hereby made for a Redevelopment Fund Program award under the Housing and Community Development Act of 1974, as amended, and the Georgia CDBG Program regulations of 1982, as amended.			Leave Blank – DCA use only	
			Date Received	Application Number
Legal Applicant/Recipient		Implementing Agency		Proposed Subrecipient/Business
1. Name of Applicant: 2. Address: 3. Telephone #: Fax #: 4. County: 5. State House District(s): 6. State Senate District(s):		6. Name of Agency: 7. Contact Person: 8. Address: 9. Telephone #: Fax #: Email:		10. Name of Business: 11. Contact Person: 12. Address: 13. Telephone #: Fax #: Email:
15. Brief Title and Description of Program			Type of Applicant (Check One)	
			16. City Applicant [] 17. County Applicant [] 18. Joint Applicant [] 19. Regional Application [] If this is a submission by a joint or regional applicants, please attach a copy of your cooperating agreement.	
			20. Location Map Enclosed: [] Census Tract/block group #:	
			21. Program Duration: _____Months	
22. Program Period: Month Day Year to Month Day Year			CDBG/Redevelopment Fund Program Funding Requested: \$	
Program Category: Economic Development * Note: This Form, DCA-1 RD, is for use with the Redevelopment Fund Program*				
I, the undersigned, authorized representative of the applicant, certify that to the best of my knowledge and belief, data in this application is true and correct, the document has been duly authorized by the governing body of the applicant and the applicant will comply with the attached certifications and assurances, if assistance is provided.				
24. Signature of Authorized Representative		25. Name & Title of Authorized Representative		26. Date Signed

Form DCA-1RD -- Application Summary and Completeness Checklist

Item(s)

1, 2, & 3: Enter name, official mailing address, telephone number and fax number of the city or county that is making application. If this is a joint application, the lead applicant's name should be entered.

4: Enter the name of the county, even if the legal or lead applicant is a city.

5 & 6: Enter the State House and Senate District(s) of the locality.

7, 8, 9 & 10: Enter the name of the agency which will actually administer and implement the program, if known at time of application.

11, 12, 13 & 14: Enter the name of the proposed subrecipient business of the application. This business may be contacted during the review process to answer direct questions or to provide additional information regarding the application.

15: Briefly title the program (i.e. "Grady Building Renovation Project", etc.) and provide a brief description of project activities. Please include all activities and briefly quantify. A needs description is not necessary in this place. An example of a "brief title and description" might be:

Grady Building Renovation Project – The City of Katmandu requests \$200,000 in Redevelopment funds to provide a loan to the Katmandu Downtown Development Authority. The loan funds will be used along with a private investment of \$400,000 to acquire and renovate a dilapidated building in the heart of Katmandu's historic downtown. The Authority will lease the building to Tibetan Enterprises which will open the Llama Deli restaurant on the first floor of the building and build the Himalaya loft apartments on the second floor. The project will eliminate blight on a spot basis and support the creation of 12 new jobs at the restaurant, 8 of which will be available to low- and moderate-income persons.

16, 17, 18, & 19: Please check the appropriate box. If this is a joint or regional submission, attach a copy of a properly executed cooperating agreement between all applicants. Refer to Part I of this manual for further instructions about preparing Joint or Regional Applications.

20: An unscheduled visit to the project site may be conducted by DCA staff on all applications that may be funded. Maps should be designed so that this site visit team can locate the proposed target area and identify existing conditions and all activities. If an architectural project is proposed, the existing building site and the new building site should be shown. The number of the Census Tract in which the project takes place must be entered in the space provided to determine if public benefit may be calculated based on poverty rates for that tract.

21 & 22: Enter the number of months that you anticipate implementation will require, together with beginning and ending dates for the program. Please note that CDBG/Redevelopment Fund regulations generally require completion of all projects within 24 months.

23: Enter the amount of Redevelopment funding requested. These amounts must match line 18 of form DCA-7.

24, 25 & 26: Application must be executed by chief elected official or other person authorized by resolution to submit the application. Attach resolution. Type the name and title of the certifying representative, and date the page when signed.

**ATTACHMENT TO FORM DCA-1 RD
APPLICANT COMPLETENESS CHECKLIST**

This checklist is designed to assist applicants in completing the application package, and to prevent delays in DCA review. To assist the applicant and DCA, please check the appropriate box.

YES NO N/A GENERAL

Request is within the limits established

If joint or regional application, cooperating agreement executed and attached

Original signatures included on at least one original (with original pictures) copy of "Application Summary", "Certified Assurances" and "CDBG Disclosure Report"

Activity(s) eliminates slum or blight in the target area and/or meet the minimum LMI benefit threshold requirement of 51%

YES NO N/A SPECIFIC

Form DCA-1 RD "Application Summary"

Form DCA-2 "Proposed Accomplishments"

Form DCA-4 "Description of Needs to be Addressed"

Form DCA-5 "Description of Activities"

Form DCA-6 "Low and Moderate Income Benefit Calculation"

Form DCA-7 "Budget Summary"

Form DCA-8 "Budget Analysis"

Form DCA-9 "Environmental Review Information"

Form DCA-10 "Certified Assurances"

Form DCA-11 "Cooperating Agreement"

Form DCA 12 "Maps"

Form DCA-13 "CDBG Disclosure Report"

Economic Development Supplemental Information and Documentation

Public Hearing Notice (from newspaper) and Minutes

Original and five (5) copies

Georgia Department of Community Affairs CDBG/Redevelopment Fund Program Proposed Accomplishments		1. Applicant: 2. <input type="checkbox"/> Original <input type="checkbox"/> Amendment, Dated: Grant No.:
Activity	Measure	Proposed Accomplishments
Acquisition, Disposition	# of Structures # of Parcels	
Clearance	# of Structures # of Parcels	
Public Building Type:	# of Facilities # of Persons Served # of Low and Moderate Income	
Water Facilities	# of Persons Served # of Low and Moderate Income	
Sewer Facilities	# of Persons Served # of Low and Moderate Income	
Street Improvements	# of Persons Served # of Low and Moderate Income	
Flood/Drainage Improvements	# of Persons Served # of Low and Moderate Income	
Other Public Facilities: Type:	# of Persons Served # of Low and Moderate Income	
Public Services	# of Persons Served # of Low and Moderate Income	
Relocation Assistance	# of Business Relocated # of Households Relocated	
Housing Rehabilitation	# of Housing Units # of Persons Served	
Housing Reconstruction	# of Housing Units # of Persons Served	
Public Housing Rehabilitation	# of Housing Units # of Persons Served	
Housing Development	# of Housing Units # of Persons Served	

Removal of Architectural Barriers	# of Persons Served	
Abatement of Lead Paint	# of Housing Units # of Persons Served	
Economic Development	# of Businesses Assisted # of Jobs Created # of New Jobs for Low/Mod Persons # of Jobs Retained # of Retained Jobs for Low/Mod Persons Funds Leveraged (Private) Funds Leveraged (Public)	

DCA-2 7/01

Form DCA-2 -- Proposed Accomplishments

The purpose of this form is to provide a quantified summary of the accomplishments proposed by the applicant to be undertaken with Redevelopment funds. Note that a similar form will be used at project completion to collect data on actual accomplishments. Be sure to make an entry for all proposed Redevelopment Fund Program funded activities.

- ◆ **Header:** Indicate the name of the jurisdiction for which the application has been prepared. Check whether this is an Original Application form or an Amended form. Include date of amendment if applicable. DCA will write in the project number if funded. This number should be included on any amended forms.
- ◆ **Activity and Measure Columns:** The column labeled "Activity" is a list of various possible CDBG-funded activities. The column labeled "Measure" is the corresponding units of measurement used to quantify proposed accomplishments.

Proposed Accomplishments: Here the applicant must enter the actual data corresponding to each Redevelopment funded activity and corresponding measure.

For example, if an applicant proposes a loan to a Downtown Development Authority to rehabilitate a dilapidated structure for lease to a business, the following entry would be made based on the business committing to create 10 new jobs and make a private investment of \$500,000 (see form DCA-2):

Activity	Measure	Accomplishments
Economic Development	# of Businesses Assisted	1
	# of Jobs Created	10
	# of New Jobs for Low- and Moderate-Income Persons	6
	# of Jobs Retained	
	# of Retained Jobs for Low- and Moderate-Income Persons	
	Funds Leveraged - Private	\$500,000
	Funds Leverage – Public	\$ 50,000

Note: Form DCA 3, “Community Wide Needs Assessment”, is no longer required for application submission.

Georgia Department of Community Affairs CDBG Redevelopment Fund Program Description of Needs to be Addressed	Applicant: <input type="checkbox"/> Original <input type="checkbox"/> Amendment, Dated: Grant No.:
<input type="checkbox"/> (Check here if continued on additional page(s) and attach)	

Page of Pages

DCA-4 7/01

Form DCA-4 -- Description of Needs to be Addressed

- ◆ Header: Indicate the name of the jurisdiction for which the application has been prepared. Check whether this is an Original Application form or an Amended form. Include date of amendment if applicable.
- ◆ For single-activity applicants, describe the specific needs around which the program is designed within one of the following three problem areas:
 - ☞ Economic Development
 - ☞ Public Facilities
 - ☞ Housing

Georgia Department of Community Affairs CDBG Redevelopment Fund Program Description of Activities	Applicant: [] Original [] Amendment, Dated: Grant No.:
[] (Check here if continued on additional page(s) and attach)	

Page of Pages

DCA-5 7/01

Form DCA-5 -- Description of Activities

General Requirements

- ◆ Header: Indicate the name of the jurisdiction for which the application has been prepared. Check whether this is an Original Application form or an Amended form. Include date of amendment if applicable. DCA will write in the project number if funded. This number should be included on any amended forms.
- ◆ Do not repeat information included on form DCA-4. Describe in detail the activity(s), identifying each activity by name and number, to be undertaken with CDBG/Redevelopment funds. This description should be specific and provide sufficient detail concerning the nature, scope, location and purpose of activities and how they are designed in accordance with applicable law, regulation and relation to each other.
- ◆ Applicants are instructed to list administration as the last activity. No description is necessary for contingencies. Architectural design or engineering, and related activities should be considered as a component of each activity and not as a part of the program's administrative costs. Please refer to the description of eligible activities in Part I of this manual and/or contact DCA staff for further guidance.
- ◆ DCA will consider activity line item (not administrative) budget requests for "extraordinary compliance measures" when the applicant can demonstrate that administrative allowances are insufficient to adequately compensate for costs such as archeological surveys, archival photographs or other unforeseen costs of complying with the Programmatic Agreement on Historic Preservation, environmental impact statements, etc.
- ◆ DCA may request reviewing comments from State, federal and other agencies involved financially or with any other interest in the proposed project. Any comment with significant adverse impact upon project feasibility or strategy may reduce the score. Applicants may choose, therefore, to solicit reviewing agency comments at the outset and as necessary, incorporate reviewing comments into application narratives, engineering reports, etc. prior to application submission.
- ◆ Applicants are further advised to discuss the impact proposed activities will have upon the needs identified in DCA-4. Applicants are encouraged to meet 100% of the needs identified in form DCA-4.

Applicants must include a project implementation schedule with the description of activities. The following example is included for guidance:

<u>Activity</u>	<u>Initiate</u>	<u>Completion date</u>
Award	n/a	January 2008
Complete environmental, inc. floodplains & historic assm't.	January 2008	March 2008
Architectural Design	January 2008	April 2008
Design approvals	April 2008	June 2008
Bidding	June 2008	July 2008

Sept. 2007 Update

Award and Construction	August 2008	November 2008
Count jobs and investment	November 2008	November 2009
Initiate & complete close-out	November 2009	December 2009

Conformance with **Georgia Planning Act**: One of the review factors considered as a project strategy question is the conformance of the proposal with the locally adopted Comprehensive Plan, as approved by DCA. In order to demonstrate conformance, applicants should discuss on Form DCA-5 how the proposal conforms with the Plan including citations or quotes from pertinent pages of the Plan. Note that DCA's Office of Planning will review and comment on all CDBG applications.

In addition, state law requires that all projects funded demonstrate that the project is not inconsistent with the community's adopted **Service Delivery Strategy (House Bill 489)**. The appropriate citation of the Strategy, any attachments and service area maps should be included in the application, along with a signed Certification that the project is not inconsistent with the Strategy. If the project is not covered by the adopted Strategy, a statement to that effect should be included in the Certification.

Georgia Department of Community Affairs CDBG Redevelopment Fund Low and Moderate Income and Civil Rights Benefit Calculation					Applicant: <input type="checkbox"/> Original <input type="checkbox"/> Amendment, Dated: Grant No.:		
1	2	3	4	5	6	7	8
CDBG Activity Number	Total Number of Persons that the Activity will serve	Total Number of Minorities that the Activity will serve	Total Number of Non-Minorities that the Activity will serve	Number of Low and Moderate Income Persons that the Activity will serve	Percent of Persons who have Low and Moderate Incomes	Amount of CDBG Funds requested for the Activity	Amount of CDBG Funds to benefit Low and Moderate Income Persons
<u>Describe Methodology (See Instruction for Required Information. Attach Additional Sheets, if needed, and a copy of the Survey Form if one is used.)</u>					9 TOTAL BENEFIT Sum of Column 8 Sum of Column 7 X 100 = %		

Form DCA-6 -- Low and Moderate Income Benefit Calculation

All Redevelopment Fund projects must meet minimum threshold requirements for low- and moderate-income benefit. For housing and public facilities projects, the minimum benefit to low- and moderate income persons is 70%. Projects that will result in job creation or retention or those that benefit to clientele must insure that at least 51 percent of the benefit is made available to low- and moderate-income persons. **The applicant may request median income levels adjusted for family size by Metropolitan Statistical Area (MSA) and/or county from DCA.**

Each step of the calculation is described below. Applicants must use Form DCA-6 for display of the information.

- In column 1, list each CDBG funded activity number. **Do not include administration or contingency.**
- In column 2, show the total number of persons that the activity will serve.
- In column 3, provide the total number of minorities who will be served by the activity. "Minority" is defined as any non-white (including Hispanic) person.
- In column 4, provide the total number of non-minority persons who will be served by the activity. A "non-minority" is defined as a white person. The sum of columns 3 and 4 should equal column 2.
- In column 5, show the number of low- and moderate-income persons that the activity will serve.
- In column 6, divide column 5 by column 2 to show the percent of low- and moderate-income persons that the activity will serve.
- In column 7, show the amount of CDBG funds requested for the activity.
- In column 8, multiply column 7 by column 6 to show the amount of the funds for the activity that will be used to benefit low- and moderate-income persons.
- At the bottom of column 7 show the total amount of funds requested by adding up the amounts for each activity.
- At the bottom of column 8 show the total amount of funds that will benefit low and moderate income persons by adding up the amount of funds to benefit low and moderate income persons for each activity.
- In box 9 determine the overall benefit to low- and moderate-income persons by dividing the total of column 8 by the total of column 7 and enter the percent in the "Total Benefit".
- Describe the methodology used to determine the number of minorities/non-minorities and the number of low- and moderate-income persons to be served by each activity.

Applications will be considered ineligible for competition without a complete, appropriate and acceptable description of the method used and will not be funded.

JOB CREATION AND RETENTION METHODOLOGY FOR CDBG

For RDF projects that either create or retain jobs, requesting the employees to complete a certification form is the easiest method to obtain required income information. The form on the following page will provide sufficient documentation on a person's low/mod status to fulfill the CDBG program's requirements. Completion of the form must be voluntary and cannot be a prerequisite of employment. In addition, to protect the privacy of the new employee, the forms must be kept separate from the job recipient's personnel file. The local government should also keep a copy of each form. Contact the DCA staff if you have questions on how the certification form is to be completed or if you need the low/mod income thresholds for your county.

**EMPLOYEE CONFIDENTIAL INCOME RELEASE FORM- FFY 2007 Income Limits
EMPLOYMENT INCENTIVE PROGRAM – (CITY/COUNTY NAME)**

(City/County Name) is required by Federal regulation to document that at least 51% of the persons employed during (Company Name)'s participation with the (City/County)'s Employment Incentive Program (EIP) qualify under federal income criteria. Eligibility is determined by either: 1) an employee's certification that his or her family's income is below the threshold indicated by their family size; or 2) certification by an appropriate authority that an employee is (was) a participant in an approved employment training program or otherwise meets acceptable criteria.

Name or Employee Number: _____ Date of Employment _____

Address: _____

Self-Certification:

Please Circle # of Persons in your Family	FAMILY INCOME CATEGORY			
	Please check your family income in the same row as the number of persons in your family.			
1	_____ \$0 - \$	_____ \$ - \$	_____ \$ - \$	_____ Greater than \$
2	_____ \$0 - \$	_____ \$ - \$	_____ \$ - \$	_____ Greater than \$
3	_____ \$0 - \$	_____ \$ - \$	_____ \$ - \$	_____ Greater than \$
4	_____ \$0 - \$	_____ \$ - \$	_____ \$ - \$	_____ Greater than \$
5	_____ \$0 - \$	_____ \$ - \$	_____ \$ - \$	_____ Greater than \$
6	_____ \$0 - \$	_____ \$ - \$	_____ \$ - \$	_____ Greater than \$
7	_____ \$0 - \$	_____ \$ - \$	_____ \$ - \$	_____ Greater than \$
8 or more	_____ \$0 - \$	_____ \$ - \$	_____ \$ - \$	_____ Greater than \$

EMPLOYEE SIGNATURE _____

The following information is not required by law, but required by HUD for statistical purposes:

Unemployed prior to employment with this Company: Yes _____ No _____

Hispanic: Yes _____ No _____ Disabled: _____ Female Head of Household: _____

(Please check all applicable spaces related to your race or ethnic heritage)

☐ Asian ☐ Black ☐ Native American-White
☐ Asian-Black ☐ Black-White ☐ Pacific Islander
☐ Asian-Pacific Islander ☐ Native American ☐ White
☐ Asian-White ☐ Native American-Black ☐ Other Multi-Racial (Specify) _____

2) Government Agency Assistance Questionnaire:

<i>The applicant and/or employee is (or prior to employment was) check all that apply.</i>	YES	NO
1) A participant in a Ga. Dept. of Technical and Adult Education sponsored employment training program while a participant in the New Connections To Work Program (individuals who are currently welfare participants);		
2) A participant in the Ga. Dept. of Human Resource's Temp. Assistance to Needy Families (TANF, formerly AFDC) program;		
3) A resident of public housing		
4) A registered participant in a "non-core" Workforce Investment Act (WIA) training service or program;		
5) A participant in the Ga. Dept. of Human Resource's Job Opportunities for Basic Skills (JOBS) program		
6) A recipient of Supplemental Social Security		
7) A recipient of food stamps;		
8) Residing in a geographic area designated as a federal Empowerment Zone or Enterprise Community		
9) Business(es) operate(s) within a Census Tract that has a poverty rate of at least 20%.		

THIS INFORMATION BELOW IS ONLY APPLICABLE IF A BOX HAS BEEN CHECKED "YES" ABOVE.

GOVERNMENT AGENCY ASSISTANCE CERTIFICATION:

Authorized Government Agency/Educational Institution _____

Signature/Title of Authorized Agency Completing this Certification _____ Title _____

Date: _____

**EMPLOYEE CONFIDENTIAL INFORMATION RELEASE FORM SUMMARY – FFY2007 Income Limits
EMPLOYMENT INCENTIVE PROGRAM – (CITY/COUNTY NAME)
(20% or greater Population in Poverty – Census Tract and/or Block Group)**

(City/County Name) is required by Federal regulation according to the terms of an Employment Incentive Program (EIP) grant agreement to document certain statistical data of persons employed during **(Business Name)**'s participation with the (City/County)'s Employment Incentive Program (EIP). This form is used to compile statistical data only.

Name or Employee Number:_____ Date of Employment_____

Address:_____

Employee Signature:_____

Self-Certification

The following information is not required by law, but required by HUD for statistical purposes:

- Unemployed prior to employment with Company: Yes_____ No_____
- Hispanic: Yes_____ No_____
- Disabled:_____
- Female Head of Household:_____

(Please check all applicable spaces related to your race or ethnic heritage)

_____ Asian

_____ Asian-Black

_____ Asian-Pacific Islander

_____ Asian-White

_____ Black

_____ Black-White

_____ Native American

_____ Native American-Black

_____ Native American-White

_____ Pacific Islander

_____ White

_____ Other Multi-Racial (Specify) _____

**(EMPLOYER CONFIDENTIAL INFORMATION RELEASE FORM SUMMARY)–FFY2007 Income Limits
EMPLOYMENT INCENTIVE PROGRAM – (CITY/COUNTY NAME)
(20% or greater Population in Poverty – Census Tract and/or Block Group)**

(City/County Name) is required by Federal regulation according to the terms of an Employment Incentive Program (EIP) grant agreement to document certain statistical data of persons employed during **(Business Name)**'s participation with the (City/County)'s Employment Incentive Program (EIP). This form is used to compile statistical data only.

Self-Certification Results

How many employees belong to the following groups (Category)?

(Required)

Category	#Employees
Hispanic	
Non-Hispanic	
Total	

(Required)

Category	#Employees
Asian	
Asian-Black	
Asian-Pacific Islander	
Asian-White	
Black	
Black-White	
Native American	
Native American-Black	
Native American-White	
Pacific Islander	
White	
Other Multi-Racial (specify)	
Total	

(If applicable)

Category	#Employees
Disabled	
Female Head of Household	

(Required)

Category (Jobs)	#Employees	Total Hours/Week
Full-time LMI		NA
Part-time LMI		

(All jobs presumed to be held by LMI persons)

(Required)

Category	#Employees
Officials/Managers	
Professionals	
Technicians	
Sales	
Office/Clerical	
Craft workers	
Operatives	
Laborers	
Service workers	
Total	

Number of jobs with employer sponsored health care benefits: _____

Number unemployed prior to taking jobs created under this activity: _____

AUTHORIZED COMPANY OFFICIAL AND (IF APPLICABLE) GOVERNMENT AGENCY EMPLOYEE ASSISTING WITH CERTIFICATION:

Authorized Company Official:

Date _____ Signature _____ Title _____

(If Applicable)

Authorized Government Agency/Educational Institution _____

Date _____ Signature _____ Title _____

Georgia Department of Community Affairs CDBG Redevelopment Fund Program Budget Summary – Redevelopment Fund		Applicant: <input type="checkbox"/> Original <input type="checkbox"/> Amendment, Dated: Grant No.:
Part A: CDBG/Redevelopment Fund Budget Amount		
Code	Activity	Total
17C-00	Acquisition	
17B-00	Public Facilities and Improvements	
14E-00	Commercial and Industrial Facilities	
18A-00	Assistance to Private For-Profit Entities	
X00-00	Other (list as an attachment)	
	Engineering fees	
	Architectural fees	
	Subtotal	
020-00	Planning	
21A-00	General Administration	
022-00	Contingencies (Not to exceed 10% of Total Program Costs)	
	Total Program Costs	
Part B: Total Resources for Program Costs		
1 CDBG Grant Amount: (same as Total Program Costs)		
2 Program Income		
3 Other Federal Funds (Please Identify)		
4 Applicant Funds		
5 State Funds		
6 Private Lender Funds		
7 Other Private Funds (Please Identify)		
8 Total Program Costs (Sum of Lines 1 through 7)		

Form DCA-7 -- Budget Summary

Part A

Part A of this form should include an assessment of Redevelopment funds (and only Redevelopment funds) budgeted for the project. Please review the "Eligible Activities" section in Part I of this manual for guidance on budgeting within appropriate line items. It is also important that each activity budget on form DCA-7 be consistent with activity and cost summaries outlined on forms DCA-5 (activities summary) and DCA-8 (budget analysis).

In the Total column, enter the amount allocated for each type of activity being undertaken to deal with the economic development (Redevelopment project) need(s). Be sure to enter the sum of amounts in the Total column for the Subtotal and Total Program Costs rows.

Please refer to the "Eligible Activities" section (Part I) and Appendix A for assistance in determining the eligibility of specific activities. Common economic development activities are shown.

Part B (Budget Summary)

Part B of this form is used to identify other public and private resources which will be used to complete the proposed program (**other debt and equity financing instruments only please! Non-cash items and in-kind contributions may be shown at the bottom of form DCA-8**).

Line 1: Enter the Redevelopment amount requested from DCA.

Line 2: Enter the amount of program income expected to be applied to program activity costs. This would include any Revolving Loan Funds (RLF) income or assets that are available for investment into the project. Please contact DCA for guidance.

Line 3: Enter the amount of other Federal grants or loans, such as Rural Development or ARC funds which will be provided in support of the program. Provide documentation of commitment from Federal agency whenever possible to assure competitiveness.

Line 4: Enter the amount of local funds to be provided by the applicant in support of the program. Provide documentation of commitment.

Line 5: Enter the amount of other State funds to be provided in support of the program. Provide documentation of commitment from State agency whenever possible to assure competitiveness.

Lines 6 & 7: Enter and identify private lender contributions and private equity, respectively, that will be used in support of the program. Provide documentation of private commitment whenever possible to assure competitiveness and for verification of the "private leverage" requirement. If numerous financing sources are used, please attach a schedule which lists each individual source.

Georgia Department of Community Affairs CDBG Redevelopment Fund Program Budget Analysis			1. Applicant: 2. <input type="checkbox"/> Original <input type="checkbox"/> Amendment, Dated: Grant No.:	
3	4	5	6	7
Name/Number	Itemized Unit Cost	CDBG Funds (Redevelopment)	Other Funds (Source)	Total Cost
8. TOTAL ON LAST PAGE		\$	\$	\$
1. Other Support Efforts:				
<input type="checkbox"/> Check here if continued on additional page(s) and attach				

Form DCA-8 -- Budget Analysis

General Information

The purpose of this form is to allow applicants to describe, in detail, the resources available, or to be made available for each activity. Applicants are encouraged to provide sufficient quantifiable data and supporting efforts for the proposed program. Form DCA-8 should be backed up by credible estimates of program cost prepared by individuals and agencies qualified to provide them.

Line item instructions

In column 3, list the activity name and number.

In column 4, briefly itemize Redevelopment funds allocated for each activity, consistent with "Section A" of the Budget Summary (form DCA-7). **These brief summaries can reference additional detail which may be attached to form DCA-8.** The applicant should separate Redevelopment Fund from non-Redevelopment Fund costs, and include the budget detail on an attached cost estimate. If cost estimates are included in reports included with the application, please duplicate the pages which include cost detail and attach them to this form.

Applicants should note that preliminary (pre-award) fees and project costs are not reimbursable. Also, **fees paid for the preparation of an application are not eligible reimbursement.**

In column 5 reference the Redevelopment Fund cost, if any, for each item shown in column 4. If the item in column 4 will not be paid for with Redevelopment funds, indicate by placing a -0- in column 5.

In column 6 show the amount of "other funds" (**non- Redevelopment Fund**) that will be used to pay for itemized costs. For competitive reasons, applicants are encouraged to obtain credible estimates for all costs. Examples of "other funds" could be: a) local government; b) federal agency; c) private sector; d) program income; or e) state agency.

In block 7, enter the total amount of funds available to carry out the proposed activity. For each activity add across rows 5 and 6. On the bottom DCA-8 use block 8 to total columns 5, 6, and 7.

For contributions or other actions in support of the project please use block 9 (the space at the bottom of form DCA-8). Be specific. Attach clear commitment from appropriate sources. Examples could be local government supplied site preparation, or other applicant in-kind efforts. Be sure to be specific in this description.

FORM DCA-9 ENVIRONMENTAL REVIEW INFORMATION

General Instructions:

If funded, all CDBG Projects will be subject to a local environmental review process that must be completed **prior to the obligation of any funds** for the project.

This form identifies environmental compliance issues requiring special attention by the applicant. Detailed instructions concerning the review process is provided in the CDBG Applicants' Manual.

Compliance with the environmental review process (especially floodplain, wetland and historic preservation compliance requirements) should be reflected in the Description of Activities (DCA-5), the Budget Summary (DCA-7) and Budget Analysis (DCA-8).

Floodplain and Wetland Compliance:

Applicants must determine if the project is located in or will affect a floodplain or wetland area. Applicants may consult local FEMA floodplain maps, Georgia Department of Natural Resources Floodplain Section (404-656-6382), the US Fish and Wildlife Service (404-331-3580), your local RDC or DCA for assistance in identification of floodplains or wetlands.

- | | <i>(Circle Response)</i> | |
|---|--------------------------|----|
| 1) Is the project located within a designated floodplain? | YES | NO |
| 2) Is the project located within a designated wetland? | YES | NO |
| 3) Is the community participating in the FEMA National Flood Insurance Program? | YES | NO |
| 4) List activities to be carried out in the floodplain or wetland: | | |

Cultural Resources:

The following information will be used by the Historic Preservation Division (HPD) of the Department of Natural Resources to make a preliminary assessment of any project effects on historical, architectural, and/or archaeological resources that are listed or eligible for listing on the National Register of Historic Places. This review is required for compliance with Section 106 of the National Historic Preservation Act of 1966, as amended.

DCA encourages applicants to complete an early review by HPD to identify compliance issues. Since compliance with Section 106 of the NHPA may affect project schedules and budget, the applicant is advised to address this factor on forms DCA-5, DCA-7 and DCA-8.

The questions on the following two pages should be answered after defining the project's area of potential effects, that is, "the geographic area or areas within which an undertaking may cause changes in the character or use of historic properties, if any such properties exists" [36 CFR 800.16(d)].

Archaeological Information:

- 1) Does the project include any ground disturbing activities (i.e. ditching, cut and fill, excavations, utility burial, grading, landscaping, etc.)?

YES NO If NO, skip to the next section.

- 2) Are there any known or suspected archaeological or "Indian" sites in the project area?

YES NO If YES, explain:

- 3) In the past, the property has been used for (circle all that apply):

Farming
Pasture
Mining
Timbering
Road construction
Housing
Landfill
Commercial
Other (explain)

Describe the condition of the soil (i.e. inundated, saturated, graded, cultivated, eroded, undisturbed, etc.)

Building and Structure Information:

- 1) Is the project located within or adjacent to a National Register listed or eligible historic district?

YES NO DO NOT KNOW

If YES, the name of the district is:

[Note: The National Register of Historic Places is maintained by the U.S. Department of the Interior, and administered in Georgia by HPD.]

- 2) Are there any other buildings or structures 50 years of age or older presently in the project area?

YES NO

- 3) Are there any other buildings or structures 50 years of age or older in the immediate vicinity (within 400 feet or visual distance) of the project area?

YES NO

- 4) Are any of the buildings or structures identified above listed or eligible for listing in the National Register?

YES NO DO NOT KNOW

DCA-9 7/01

Photographs, maps and other information requested:

If the answer to 2 and/or 3 under Buildings and Structures Information is YES, the applicant should include photos (35mm) of the resources in their settings, keyed to a map or site plan, as well as additional information (if available) such as an assessment of their historical or architectural importance, estimated date of construction and the source of this information. If this information has already been provided to HPD, please indicate the status of their review and include any correspondence you have received. This may be provided in lieu of the photos and other information.

If Assistance is needed:

Many Regional Development Centers have preservation planners who may be able to assist in gathering appropriate information. Contact your RDC for assistance. For further information, applicants may also contact the Historic Preservation Division at 404-656-2840 prior to submittal of the application to DCA.

**GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS
REDEVELOPMENT FUND PROGRAM**

Form DCA-10 -- CERTIFIED ASSURANCES

This Certified Assurances form must be completed and signed by the Applicant's Certifying Representative. It must be included in the Application submission.

ASSURANCES

The Applicant hereby certifies and assures that:

1. (a) It possesses legal authority to apply for the grant, and to execute the proposed program.
 - (b) Its governing body has duly adopted or passed as an official act, a resolution, motion, or similar action, authorizing the filing of an application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application, and to provide such additional information as may be required. Evidence of this action by its governing body is maintained in the Applicant's files.
2. It has provided citizens an adequate opportunity to participate in the development of the application by:
 - (a) holding at least one public hearing in the locality prior to submission of the application. The previous Redevelopment Fund program's activities were discussed, and public input into the development of the subject application was obtained at the public hearing; information was provided on the estimated amount of funds proposed to be used for activities benefiting low and moderate income persons, and plans to minimize displacement as a result of activities and plans to assist displaced persons were discussed;
 - (b) maintaining files which contain documentary evidence that the hearing was held. The evidence includes a copy of the actual notice of public hearing.
 - (c) the citizen participation process meets the requirements of the Georgia DCA Citizen Participation Plan as outlined in the DCA, CDBG regulations.
3. Its chief executive officer, or other officer of applicant approved by DCA:
 - (a) Consents to assume the status of a responsible Federal official under the National Environmental Policy Act of 1969 (NEPA), and other provisions of Federal law, as specified in 24 CFR Part 58 and 40 CFR Part 1500-1508, which further the purposes of NEPA insofar as the provisions of such Federal law apply to this Part:
 - (b) Is authorized and consents on behalf of the applicant and himself to accept the jurisdiction of the Federal courts for the purpose of enforcement of his responsibilities as such an official.
4. (a) The Community Development Program has been developed so as to give maximum feasible priority to activities which will benefit low and moderate income families, or aid in the prevention or elimination of slums or blight
OR
 - (b) The Community Development Program has been designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community where other financial resources are not available to meet such needs.

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5. The applicant further certifies and assures that:
 - (a) If the proposed application is funded, it will comply with all applicable laws and regulations as prescribed in Program Regulations for the Georgia CDBG programs, effective March 24, 1982, as amended.
 - (b) It understands that certain laws may be applicable, though not specifically listed in the Georgia CDBG or Redevelopment Fund Program Regulations, by virtue of being applicable under their own terms, such as the Hatch Act (U.S.C. Section 1501, et. seg.) which limits the political activities of the employees funded through receipt of Federal assistance.
 - (c) If the proposed application is funded, it assures and will comply with Section 504 of the Rehabilitation Act of 1973 and the HUD implementing regulations (24 CFR Part 8), Title I of the Housing and Community Development Act of 1974, as amended, Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, the Fair Housing Act (42 USC 3601-20), Executive Orders 11246 and 11063, and Section 3 of the Housing and Urban Development Act of 1968 and will administer and conduct its program in conformance with them. Also, that it will affirmatively further fair housing.
 - (d) The applicant has prepared a plan to minimize displacement as a result of activities assisted with CDBG or Redevelopment funds and to assist persons actually displaced as a result of such activities.
 - (e) It will not attempt to recover any capital costs of public improvement assisted in whole or part with CDBG or Redevelopment funds by assessing any amount against properties owned or occupied by persons of low/mod income including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless:
 - i. CDBG or Redevelopment funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than CDBG and Redevelopment Fund; or
 - ii. For purposes of assessing any amount against properties owned and occupied by persons of low/mod income who are not persons of very low income, unless the Recipient certifies that it lacks sufficient Redevelopment funds to comply with the requirements of paragraph i.
 - (f) At least 51% of each Redevelopment Fund activity for economic development and at least 70% for housing and public facility projects will benefit low/mod income persons. Low/mod income persons are defined as persons whose family income does not exceed 80% of the median family income for the County or metropolitan area in which they reside, adjusted for family size, as established by HUD.
 - (g) It will provide reasonable benefits to those persons involuntarily displaced as a result of CDBG or Redevelopment Fund assistance to acquire or rehabilitate property.
6. Except for approved eligible administrative or personnel costs, no person who is an elected or appointed official, employee, agent, consultant, officer or any person serving in a similar capacity with any participating public agency or subrecipient, who exercise or have exercised any functions or responsibilities with respect to the CDBG or Redevelopment Fund activities proposed herein, or who are in a position to participate in a decision making process or gain inside information regarding CDBG or Redevelopment Fund proposed activities or related activities, may obtain a personal or financial interest or benefit from the project, or have any interest in any contract, sub contract or agreement with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter.

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(The Applicant is instructed to follow State law and review appropriate Federal requirements and to consult with its local attorney and/or DCA, as appropriate to guard against prohibited conflicts of interest.)

For any situation which is or may appear to be a conflict of interest under the assurance, a complete description and explanation must be attached.

7. To the best of his or her knowledge and behalf:
 - a) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal loan or grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
 - b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instruction.
 - c) The undersigned shall required that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans and cooperative agreements, and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction by Section 1352, Title 31, U. S. Code. Any person who fails to file the required certification shall be subject to a penalty to a penalty of not less than \$10,000 and not more than \$100,000 for each failure.
8. It will comply with the requirements of Section 104(d) of the Housing and Community Development Act of 1974, as amended, and HUD implementing regulations (24 CFR Part 570.496a), including the following (page 4 of DCA-10) Residential Antidisplacement and Relocation Assistance Plan. If an award of funds is made, the Recipient will make public its plan providing for one-for-one replacement units and relocation assistance, and the steps it will take to minimize displacement of persons as a result of assisted activities.

Residential Antidisplacement and Relocation Assistance Plan:

- a) The local government recipient of Redevelopment funds will replace all occupied and vacant occupiable low and moderate income dwelling units demolished or converted to use other than as low and moderate income housing in connection with an activity assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described at 24 CFR Part 570.496a(c).
- b) All replacement housing will be provided within three years after the commencement of the demolition or conversion. Before entering into a contract committing the Recipient local government to provide funds for an activity that will directly result in such demolition or conversion, the Recipient local government will make public and submit to

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the Department of Community Affairs the following information in writing:

- i) A description of the proposed assisted activity;
 - ii) The location on a map and the number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate income dwellings units as a direct result of the assisted activity;
 - iii) A time schedule for the commencement and completion of the demolition or conversion;
 - iv) The location on a map and the number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
 - v) The source of funding and a time schedule for the provision of replacement dwelling units;
 - vi) The basis for concluding that each replacement dwelling unit will remain a low/moderate income dwelling unit for at least 10 years from the date of initial occupancy.
 - vii) Information demonstrating that any proposed replacement of dwelling units with smaller dwelling units (e.g., a 2 bedroom unit with two 1 bedroom units) is consistent with the housing needs of lower income households in the jurisdiction.
- c) The Recipient local government is responsible for tracking the replacement of housing and ensuring that it is provided within the required period.
- d) The Recipient local government is responsible for ensuring requirements are met for notification and provision of relocation assistance, as described in 24 CFR Part 570.496a(c)(2), to any lower income person displaced by the demolition of any dwelling unit or the conversion of a low and moderate income dwelling unit to another use in connection with an assisted activity.
- e) Consistent with goals and objectives of activities assisted under the Act, Recipient will take the additional steps, if any, listed on an attachment to these Assurances, to minimize the displacement of persons from their homes.
9. If a grant is awarded, the applicant will adopt and enforce a policy of prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstrations within its jurisdiction.

CERTIFICATION:

The undersigned certifies on behalf of the Applicant that he/she has been authorized to sign this certification, the information presented in this application is correct, and that the applicant will comply with the assurances listed above.

Submitted on behalf of the Applicant by:

Attest:

By:

By:

(signature of chief elected official)

(signature of clerk or other authorized official)

(type name and title of chief elected official)

(type name and title)

(seal)

FORM DCA-11 -- COOPERATING AGREEMENT
Sample Format

COOPERATING AGREEMENT
(For joint or regional applications only)

This Agreement, entered into between (name of jurisdiction) and (name of jurisdiction), does hereby provide for said jurisdiction to jointly apply for a Redevelopment Fund grant from the Department of Community Affairs.

The (name of jurisdiction) and (name of jurisdiction) do mutually agree that (name of jurisdiction) is hereby authorized to act as the lead agency, and thereby responsible for compliance with applicable State and Federal requirements of the Georgia Small Cities CDBG/ Redevelopment Fund program.

Adopted by the (name of jurisdiction)
on (date):

(signature of chief elected official)
By: _____
(type name and title of chief elected official)

Attest:

(signature of clerk or other authorized official)
By: _____
(type name and title)

(seal)

Adopted by the (name of joint applicant)
on (date):

(signature of chief elected official)
By: _____
(type name and title of chief elected official)

Attest:

(signature of clerk or other authorized official)
By: _____
(type name and title)
(seal)

Form DCA-12 -- Maps

Applicants must submit map(s) which are clearly legible and will enable the DCA staff to find the proposed activity site(s) without local assistance during a site visit.

All Map(s) must include a scale, north arrow and legend. More than one scale of map may be used to show detail but both scale(s) must be indicated on the respective maps. The larger community-wide map should indicate the boundary of the area represented by the more detailed map. More than one type of requested information can be included on the map if it is clearly legible. A legend must be included to indicate what different colors or patterns represent.

NOTE : U.S.G.S. 7.5 minute topographic maps are an excellent resource to use for the larger community-wide maps.

Maps must include the following information:

- Project activity location(s). Show the locations of facilities proposed, together with the location(s) of facilities to be replaced. For relocations, show existing and proposed locations;
- Project activity service area(s) for public facilities activities;
- Location of areas of concentration of low- and moderate-income persons, including number and percentage, if available;
- Locations of areas of concentrations of minorities, including number and percentage, if available; and
- Location of areas of concentration of substandard and deteriorated housing, including number and percentage, if available.

If the community has low- and moderate-income persons, substandard housing units and/or minority people dispersed throughout the community, indicate this on the map's legend; and 1) display the location of the proposed activity(s) and its service area; 2) indicate the number and percent of low/moderate-income families, minorities and substandard housing, as appropriate, located within the jurisdiction making application; and 3) provide the same data for the Redevelopment Fund service area(s).

Form DCA-13 -- CDBG Disclosure Report

All applicants must complete and submit Parts I and II of the Disclosure Report. At the completion of Part II of the report, some applicants will find that they must complete Parts III, IV, V, and VI of the report.

Part I requires the applicant's name, address, phone number, indication as to whether this is an initial report or an update, the amount of CDBG funds being requested, the amount of any CDBG program income that will be used with the CDBG grant, and the total amount of CDBG assistance.

Part II asks two questions. If the answer to both questions is "no," the applicant must provide the certification at the end of Part II, but is not required to complete the remainder of the report. If the answer to either question is "yes," then the applicant must complete the remainder of the report.

Part III requires information on any other Federal, State, and/or local assistance that is to be used in conjunction with the CDBG / Redevelopment Fund project.

Part IV requires the identification of interested parties. Interested parties are persons and entities with a reportable financial interest in the project. If an entity (such as a corporation, partnership, etc.) is being disclosed, the disclosure in Part IV must include an identification of each officer, director, principal stockholder or other official of the entity. Please indicate if the person or entity is a "sole proprietorship." All consultants, developers, or contractors involved in the application for CDBG assistance, or in the planning, development, or implementation of the project, must be identified as an interested party. Also, any other person or entity that has a pecuniary interest in the project that exceeds \$50,000 or 10 (ten) percent of the CDBG / Redevelopment Fund assistance, whichever is lower, must be listed as an interested party.

Pecuniary interest means any financial involvement in the project, including (but not limited to) situations in which a person or entity has an equity interest in the project, shares in any profit on resale or any distribution of surplus cash or other assets of the project or receives compensation for any goods or services provided in connection with the project. (The following are not considered interested parties: local CDBG administrative staff, recipients of housing rehabilitation assistance, and rehabilitation contractors as long as the rehabilitation agreement is between the property owner and the contractor.)

Part V requires applicants to identify the sources and uses of all funds to be used in conjunction with the CDBG / Redevelopment Fund funded project. The sources and uses must include all the other assistance identified in Part III as well as the CDBG funds identified in Part I, items 3a and 3b.)

Part VI requires the certification of the Chief Elected Official.

DCA FORM 13, CDBG/ REDEVELOPMENT FUND DISCLOSURE REPORT

PART I – RECIPIENT INFORMATION

- 1. CDBG/ Redevelopment Fund Recipient Name:**
- 2. Indicate whether this is:** **Initial Report** [] **Updated Report** []
- 3. Grant Number:**
- 4. Project Funding:**
 - a. CDBG/ Redevelopment Fund amount requested/received:** \$
 - b. Program Income to be used with CDBG/ Redevelopment Fund:** \$
 - c. Total CDBG/Redevelopment Fund assistance:** \$

PART II – THRESHOLD DETERMINATIONS

- 1. Is the amount listed above at 4c. more than \$200,000?** **YES** [] **NO** []
- 2. Have you received or applied for other HUD assistance YES [] NO []**
which when added to 4c. above amounts to > \$200,000?

If the answer to either 1. or 2. of part II is “YES”, then you must complete the remainder (Part III – VI) of the Disclosure Report. (You do not need to sign below, signature in this case is in Part VI)

If the answer to either 1. or 2. of part II is “YES”, then you do not need to complete the remainder of this Report, BUT you must sign the following Certification and include the Report in your Application for RDF assistance.

I hereby certify that this information is true:

(Signature of Certifying Official)

(Date)

Typed or printed name and title: _____

If this is an Updated Report:

1. Check here ☐
 2. Provide CDBG Recipient
Name:
Grant #:
 3. Certifying Official must sign below
- Provide only updated information on this page

PART III – OTHER GOVERNMENT ASSISTANCE PROVIDED/APPLIED FOR

Provide the requested information for any other Federal, State and/or local government assistance, on hand or applied for, that will be used in conjunction with the CDBG/ Redevelopment Fund. (See instructions)

Name and Address of Agency Providing or to Provide Assistance	Program	Type of Assistance	Amount Requested or Provided

I hereby certify that this information is true: (Sign ONLY if this is an Updated Report)

(Signature of Certifying Official)

(Date)

Typed or Printed Name and Title:

If this is an Updated Report:

1. Check here ☐
2. Provide CDBG Recipient
Name:
Grant #:
3. Certifying Official must sign below
4. Provide only updated information on this page

PART IV – INTERESTED PARTIES

Alphabetical List of All Persons with a Reportable Financial Interest in the Project	Social Security # or Employer I.D. Number	Type of Participation in the Project	Financial Interest in Project \$ and %

I hereby certify that this information is true: (Sign ONLY if this is an Updated Report)

(Signature of Certifying Official)

(Date)

Typed or Printed Name and Title:

If this is an Updated Report:

1. Check here ☐
2. Provide CDBG Recipient
Name:
Grant #:
3. Certifying Official must sign below
4. Provide only updated information on this
page

PART V – EXPECTED SOURCES AND USES OF FUNDS

This part requires that you identify the sources and uses of all assistance, including CDBG, that have been or may be used in the Project.

Source	Use

PART VI – CERTIFICATION

I hereby certify that the information provided in this disclosure is true and correct and I am aware that any false information or lack of information knowingly made or omitted may subject me to civil or criminal penalties under Section 1001 of Title 18 of the United States Code. In addition, I am aware that if I knowingly and materially violate any required disclosure of information, including intentional nondisclosure, I am subject to a civil money penalty not to exceed \$10,000 for each violation.

(Signature of Certifying Official)

(Date)

Typed or Printed Name and Title:

Appendix A

Economic Development Supplemental Information and Documentation

**REDEVELOPMENT FUND APPLICATION SUPPLEMENTS
FOR PUBLIC INFRASTRUCTURE PROJECTS**

EXHIBITS WHICH SHOULD BE INCLUDED:

- A. Local Government's Most Recently Audited Financial Statement.**
- B. Source and Use Statement** for infrastructure portion of the project.
- C. Design Development Report and/or Plans and Specifications** (as applicable). Approved by DNR/EPD, DOT and/or other permitting agency and certified by engineer.
- D. Cost Estimate** certified by engineer or architect.
- E. Commitment Letters** **1)** from business (es) indicating the number of full-time jobs to be created/retained, the percentage of jobs that will be held for low and moderate income persons and the private investment; **2)** from participating financial institution(s) indicating the amount, rate, term, and any contingencies associated with financing being made available to the participating business; and **3)** from any other financing source(s) indicating funds available for the balance of the infrastructure cost (if any). (see sample formats)
- F. Business Synopsis**
Provide a brief history and description of the business that will benefit from the project. Also, indicate: *who* will receive benefits from the infrastructure; *what* endeavors the business will undertake as a result of the provision of the infrastructure; *where* it will undertake the endeavor; *when* it will undertake the project; and *how* it will finance the project.
- G. Description of New Jobs** created by salary range and skill level required (include benefits available, such as health, retirement, leave, etc.).
- H. Documentation** that the business has control of all real estate needed for the implementation of the project (i.e., Purchase Options or Sales Agreement, etc.).
- I. Resolution** declaring a "spot basis" Slum or Blight National Objective for purposes of the Georgia CDBG program (see sample resolution, Appendix E) or documentation that the project area as delineated by the unit of local government meets the definition of Slum or Blight on an "area basis" under state or local law.

NOTE:

If ultimately funded, private for-profit businesses which will benefit from an Redevelopment Fund financed public facility or infrastructure investment will be required to purchase and have issued to DCA an irrevocable letter of credit (L/C) or some other instrument of surety acceptable to DCA, which will warrant the businesses' commitments to invest and create employment opportunities. The L/C or surety amount will be equal to the Redevelopment Fund grant amount and will collateralize an economic development agreement which will be required if the project is funded. For further information, contact the Redevelopment Fund Program Manager at (404) 679-1738.

REDEVELOPMENT FUND APPLICATION SUPPLEMENTS FOR DIRECT LOANS

EXHIBITS WHICH SHOULD BE INCLUDED:

- A. Synopsis of Project.** Indicate: *who* will receive benefits of Redevelopment Fund financing; *what* the Redevelopment Fund proceeds will be used for; the amount of financing needed to implement the total project; *where* the project will take place; *when* the project will be implemented; and *how* the Redevelopment Fund financing will be packaged and administered.
- B. Resolution** declaring a “spot basis” Slum or Blight National Objective for purposes of the Georgia CDBG program (see sample resolution, Appendix E) or documentation that the project area as delineated by the unit of local government meets the definition of Slum or Blight on an “area basis” under state or local law.
- C. Business Plan** Provide a business plan and brief history and description of the business. Include information concerning: the type of business, products, marketing information, major customers, competitive position in the industry, size of the market, primary competitors, stability of the market, seasonality of the market, price/quality of product, major distribution channels, etc.
- D. Source and Use Statement** (see sample format).
- E. Purchase Option or Sales Agreement** on any real estate needed to undertake the project.
- F. Appraisal(s)** of any real estate to be financed.
- G. Plans, Written Cost Estimates and Proposals** on all proposed construction, renovation. For machinery & equipment purchases include **Price Quotes** from appropriate vendors.
- H. Financial Commitment Letter(s)** from participating financial institution(s). The letter(s) should indicate the amount, rate, term, and any contingencies associated with the financial institution's loan. (see sample format)
- I. Commitment Letter(s)** from participating business(es). The letter(s) should indicate the number of full-time jobs which will be created/retained and the percentage of the jobs that will be held for low and moderate income persons. (see sample format)
- J. Description of New Jobs** by salary range and skill level required (include benefits available, such as health, retirement, leave, etc.).
- K. List of Available Collateral** with prior liens and mortgages noted.
- L. Financial Statements:** Provide balance sheets and income statements for the past three years. Also provide a pro-forma balance sheet and projected income statements for one year or until break even point is achieved. If financial statements are unaudited, also provide copies of company's federal tax returns and related schedules.
- M. Interim Financial Statements** (less than 90 days old).
- N. Cash Flow Projections.**
- O. List of Affiliates or Subsidiaries:** Organizational documents for applicant company and Certificate of Existence on corporations from Secretary of State's Office.

- P.** Resumes of Principals & Key Management Personnel (**include Soc. Security Numbers**).
- Q.** **Personal Financial Statement** of the owner or each partner or stockholder owning 20% or more of the voting stock in the corporation.
- R.** **Schedule of Existing Debt** (see sample format).

REDEVELOPMENT FUND PROGRAM
SAMPLE COMPANY COMMITMENT LETTER FOR PUBLIC
INFRASTRUCTURE

COMMITMENT TO CREATE/RETAIN JOBS
(to be completed on company letterhead and addressed to applicant)

DATE

Dear _____:

Contingent only upon the receipt of an award under the Redevelopment Fund Program and availability of the same to (developer, industry, company, business, corporation, etc.) as provided for in the application of (local government applicant) the (developer, industry, company, business, corporation, etc.) hereby commits to the (local government applicant) to (describe proposed project, specify construction, expansions, etc.) at a total investment cost of approximately \$ (amount). The proposed financing sources are (name each source and dollar amount). The \$ (amount) of Redevelopment Fund financing will be used to (describe use of funds) as provided for in the application.

(Developer, industry, company, business, corporation, etc.) further commits to create and/or retain (specify) (number) full-time permanent jobs, (number) of which will be available to low and moderate income persons. We will initiate project activities on or about (date) and complete the same on or about (date). We will provide the applicant with a construction schedule upon initiation of project activities and documentation of hiring, including evidence of low and moderate income hiring within ninety (90) days of project completion.

(Developer, industry, company, business, corporation, etc.) also hereby commits, as beneficiary of an Redevelopment Fund financed public facility or infrastructure, to provide (an Irrevocable Standby Letter of Credit (L/C) or Surety/Performance Bond) in the amount of the grant award, should the public infrastructure project be funded. We understand that the purpose of the (L/C or Surety) is to warrant our commitments to invest and create employment opportunities.

Sincerely,

(signature of official or officer
authorized to make commitment)

REDEVELOPMENT FUND PROGRAM
SAMPLE COMPANY COMMITMENT LETTER FOR DIRECT LOAN

COMMITMENT TO CREATE/RETAIN JOBS

(to be completed on company letterhead and addressed to applicant)

DATE

Dear _____:

Contingent only upon the receipt of an award under the Redevelopment Fund Program and availability of the same to (developer, industry, company, business, corporation, etc.) as provided for in the application of (local government applicant) the (developer, industry, company, business, corporation, etc.) hereby commits to the (local government applicant) to (describe proposed project, specify construction, expansions, etc.) at a total investment cost of approximately \$ (amount). The proposed financing sources are (name each source and dollar amount). The \$ (amount) in Redevelopment Fund financing will be used to (describe use of funds) as provided for in the application.

(Developer, industry, company, business, corporation, etc.) further commits to create and/or retain (specify) (number) full-time permanent jobs, (number) of which will be available to low and moderate income persons. We will initiate project activities on or about (date) and complete the same on or about (date). We will provide the applicant with a construction schedule upon initiation of project activities and documentation of hiring, including evidence of low and moderate income hiring within ninety (90) days of project completion.

(Developer, industry, company, business, corporation, etc.) also hereby commits to repay the \$(amount) in Redevelopment Fund financing as provided for in the application.

Sincerely,

(signature of official or officer
authorized to make commitment)

REDEVELOPMENT FUND PROGRAM
SAMPLE LENDER COMMITMENT LETTER

(to be completed on the letterhead of the lending institution and addressed to the developer, industry, company, business, corporation, etc.)

DATE

Dear _____:

Please be advised that we have reviewed your financial statements and project proposal regarding financing for (describe proposed project, specify construction, expansion, etc.) in (location). It is our understanding that (applicant) has applied for \$ (amount) in Community Development Block Grant funds (under the "Redevelopment Fund Program") to (describe use of funds) as part of the project.

Based on the financial and project feasibility information provided, we feel the CDBG funds for (describe project) would make this a viable project and hereby commit to provide (describe amount and type of financing) for (describe purpose of financing). This commitment has been approved by our (loan committee board, etc.) and is subject to the following terms and conditions: (specify terms and conditions: receipt of the award can be a condition).

Sincerely,

(signature of official or officer
authorized to make commitment)

**ECONOMIC DEVELOPMENT AND REDEVELOPMENT FUND PROGRAM
SUPPLEMENTAL INFORMATION AND DOCUMENTATION**

Applicant: _____

CDBG Amount Requested: \$ _____

Total Project Cost: _____

1) JOB CREATION/RETENTION

- total number of existing jobs: _____
- total number of jobs to be created: _____ *
- total number of jobs to be retained: _____ **
- number of jobs created for low/mod income persons: _____ ***
percent of total: _____ %
- number of jobs retained for low/moderate income persons: _____ ***
percent of total: _____ %
- CDBG dollars per job created: \$ _____
- CDBG dollars per job retained: \$ _____

Describe the methodology to be utilized for ensuring the number of jobs listed above for low and moderate income persons: (provide documentation where applicable). Applicants should note that jobs paying minimum wage do not necessarily qualify as low and moderate income jobs. Individual family income levels adjusted for family size at the time of application for employment determine qualification.

- * permanent full-time positions of at least one year's duration (except in certain cases of agricultural businesses whose operations are necessarily seasonal, DCA will consider as permanent any full-time job of at least twelve (12) consecutive weeks' duration, and will count it as the equivalent of one-fourth (1/4) of a permanent job).

For example, if an agricultural business proposed to employ 100 persons, each for twelve (12) full-time consecutive weeks, the number of jobs created would be counted as 25. Likewise if 100 persons were to be employed each for 24 full-time consecutive weeks, the number of jobs created would be counted as fifty (50).

- ** For retained jobs, the application should contain summary information on the number and percent of the retained jobs which are held by low and moderate income individuals. This would normally require that workers be surveyed prior to the application being submitted.

- *** Should meet the 51% minimum benefit to low and moderate income persons (i.e., at least 51% of the jobs created or retained must be for low and moderate income persons).

2) UNEMPLOYMENT DATA*

- number of persons in the workforce unemployed: _____
- percent of persons in workforce unemployed: _____ %
- source of data _____ (provide documentation)

Analyze and describe the impact on unemployment, both in actual numbers and percentages, of the proposed project:

*This data should be for the applicant's jurisdiction. If other, please note and explain.

3) PRIVATE INVESTMENT*

- dollar amount of private investment: \$ _____
- source(s): _____
- private investment as percent of total project: _____ %
- private to CDBG funds leverage ratio: _____
- private to CDBG/other public funds leverage ratio: _____

*private investment must be documented by letters of commitment.

4) OTHER PUBLIC INVESTMENT*

- amount: \$ _____
- source(s): _____
- other public investment as percent of total project: _____ %

*other public investment must be documented by grant awards, grant commitments or letters of commitment.

5) ESTIMATED TAX REVENUE

- total estimated taxes to be generated (for one year)

Local taxes: \$ _____
State taxes: \$ _____
Federal taxes: \$ _____

- taxes generated per CDBG dollar requested: \$ _____

Describe the methodology for calculating the estimated tax from each source:

6) RECAPTURE PROVISIONS

Describe the rate, terms, period and other applicable elements of the grant repayment (be specific and detailed); also describe what entity will be responsible for servicing the Redevelopment Fund/CDBG loan:

Any direct assistance to private for profit entities must be "recaptured".

7) USE OF PROGRAM INCOME ("Recaptured Funds")

Describe the proposed use of the program income (be specific and detailed); also describe what local agency, staff member, or department will have oversight responsibilities for recaptured funds.

8) COMMITMENT LETTERS

All applications must be accompanied by letters of commitment from participating financing entities, other participating agencies and the private sector partner (developer, industry, company, business, corporation, etc.).

SOURCE and USE STATEMENT **EXHIBIT C**

USES _____ **AMOUNT**

Acquisition of Land	\$ _____
Site Improvements	\$ _____
Construction of Building	\$ _____
Purchase Machinery & Equipment	\$ _____
Redevelopment Fund Administration	\$ _____
Other: _____	\$ _____
Other: _____	\$ _____

TOTAL PROJECT COST \$ _____

Funds will be provided by the following sources:

SOURCES _____	USE _____	RATE _____	TERM _____	AMOUNT _____	ANNUAL DEBT SERVICE
_____		_____ %	_____ years	\$ _____	\$ _____
(BANK)					
_____		_____ %	_____ years	\$ _____	\$ _____
(OTHER)					
_____		_____ %	_____ years	\$ _____	\$ _____
(OTHER)					
_____		_____ %	_____ years	\$ _____	\$ _____
(OTHER)					
_____		_____ %	_____ years	\$ _____	\$ _____
(REDEVELOPMENT FUND activity)					
_____		_____ %	_____ years	\$ _____	\$ _____
(REDEVELOPMENT FUND admin.)					
_____		_____ %	_____ years	\$ _____	\$ _____
(LOCAL/OWNERS EQUITY INJECTION)					
TOTAL FINANCING SOURCES		\$ _____		\$ _____	

Schedule of Existing Debt

Creditor	Original Date	Original Amount	Present Balance	Interest Rate	Monthly Payment	Maturity Date	Collateral	Status (Current, Delinquent)
Totals								

Comments:

Signature: _____

Date: _____

Appendix B

Conflict of Interest Regulations

Excerpt from 24 CFR, Part 85, Section 85.36(b)(3), "Code of Conduct":

Grantees shall maintain a written code of standards of conduct which shall govern the performance of their officers, employees or agents engaged in the award and administration of contracts supported by Federal funds. No employee, officer or agent of the grantee shall participate in selection, or in the award or administration of a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:

- a. The employee, officer or agent;
- b. Any member of his immediate family;
- c. His or her partner; or
- d. An organization which employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award.

The grantee's officers, employees or agents shall neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to subagreements.

Grantees may set minimum rules where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.

To the extent permitted by State or local law or regulations, such standards of conduct shall provide for penalties, sanctions, or other disciplinary actions for violations of such standards by the grantee's officers, employees, or agents, or by contractors or their agents.

HUD Regulations, Section 570.489(h), "Conflict of Interest"

(a) Applicability -

- (1) In the procurement of supplies, equipment, construction, and services by recipients, and by subrecipients (including those specified at Section 570.204(c)), the conflict of interest provisions in 24 CFR, Part 85, Section 85.36(b)(3) (the above provisions), shall apply.
- (2) In all cases not governed by 24 CFR, Part 85, Section 85.36(b)(3), the provisions of this section shall apply. Such cases include the acquisition and disposition of real property and the provision of assistance by the recipient by its subrecipients, or to individuals, businesses and other private entities under eligible activities which authorize such assistance (e.g., rehabilitation, preservation, and other improvements of private properties or facilities pursuant to Section 570.202, or grants, loans and other assistance to businesses, individuals and other private entities pursuant to Sections 570.203, 570.204 or 570.455).

(b) Conflicts prohibited -

Except for approved eligible administrative or personnel costs, the general rule is that no persons described in paragraph (c) of this section who exercise or have exercised any functions or responsibilities with respect to RDF activities assisted under this Part or who are in a position to participate in a decision making process or gain inside information with regard to such activities may obtain a personal or financial interest or benefit from the activity, or have an interest in any contract, subcontract or agreement with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter.

(c) Persons covered -

The conflict of interest provisions of paragraph (b) of this section apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the recipient, or of any designated public agencies, or subrecipients under Section 570.204, which are receiving funds under this part.

(d) Exceptions: threshold requirements -

Upon the written request of the recipient, HUD may grant an exception to the provisions of paragraph (b) of this section on a case-by-case basis when it determines that such an exception will serve to further the purposes of the Act and the effective and efficient administration of the recipient's program or project. An exception may be considered only after the recipient has provided the following:

- (1) A disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how the public disclosure was made; and
- (2) An opinion of the recipient's attorney that the interest for which the exception is sought would not violate State or local law.

(e) Factors to be considered for exceptions -

In determining whether to grant a requested exception after the recipient has satisfactorily met the requirements of paragraph (d) of this section, HUD shall consider the cumulative effect of the following factors, where applicable:

- (1) Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project which would otherwise not be available:
- (2) Whether an opportunity was provided for open competitive bidding or negotiation:

- (3) Whether the person affected is a member of a group or class of low or moderate income persons intended to be the beneficiaries of the assisted activity, and the exception will permit such person to receive generally the same interests or benefits as are being made available or provided to the group or class:
- (4) Whether the affected person has withdrawn from his or her functions or responsibilities, or the decision making process with respect to the specific assisted activity in question:
- (5) Whether the interest or benefit was present before the affected person was in a position as described in paragraph (b) of this section:
- (6) Whether undue hardship will result either to the recipient or the person affected when weighed against the public interest served by avoiding the prohibited conflict; and
- (7) Any other relevant considerations.

Appendix C

GEORGIA CODE OF ETHICS FOR GOVERNMENT SERVICE

§ 45-10-1. Establishment and text of code of ethics for government service generally: There is established for and within the state and for and in all governments therein a code of ethics for government service which shall read as follows:

CODE OF ETHICS FOR GOVERNMENT SERVICE

Any person in government service should:

- I. Put loyalty to the highest moral principles and to country above loyalty to persons, party, or government department.
- II. Uphold the Constitution, laws, and legal regulations of the United States and the State of Georgia and of all governments therein and never be a party to their evasion.
- III. Give a full day's labor for a full day's pay and give to the performance of his duties his earnest effort and best thought.
- IV. Seek to find and employ more efficient and economical ways of getting tasks accomplished.
- IV. Never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not, and never accept, for himself or his family, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of his governmental duties.
- VI. Make no private promises of any kind binding upon the duties of office, since a government employee has no private word which can be binding on public duty.
- VII. Engage in no business with the government, either directly or indirectly, which is inconsistent with the conscientious performance of his governmental duties.
- VIII. Never use any information coming to him confidentially in the performance of governmental duties as a means for making private profit.
- IX. Expose corruption wherever discovered.
- X. Uphold these principles, ever conscious that public office is a public trust.

Appendix D

CDBG/EIP/RDF Program: Family Income Limits

Date Available: March, 2007

To access the Low/Mod income limits go to:

http://huduser.org/Datasets/IL/IL07/ga_fy2007.pdf

Appendix E

Sample Resolution Declaring a “spot basis” Slum or Blight National Objective for purposes of Georgia CDBG program per 24 CFR Part 570.483

(Note this Resolution DOES NOT fulfill the requirements of the Georgia Urban Redevelopment Law)

Whereas, (Name of Local Government) is submitting a CDBG application for consideration under the Department of Community Affairs’ Redevelopment Fund Program; and

Whereas, the application must document that at least one of the national objectives of Title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301 et seq.) will be met; and

Whereas, one of the required national objectives is the elimination or prevention of slums and blight; and

Whereas, (Name of Local Government) has documented that the property located at (address of property) is a blighting influence under local standards, detrimental to the public health, safety and welfare and that the property’s deterioration is negatively affecting the surrounding neighborhood, community facilities, and local tax base; and

Whereas, (Name of Local Government) proposes to develop a contract with the (Name of Downtown Development Authority) who will alleviate the aforementioned blight through the use of CDBG monies to implement certain (describe activities i.e. acquisition, clearance, relocation, historic preservation, or building rehabilitation) activities that (Name of Local Government) has determined meet the local and federal definition of activities which aid in the prevention or elimination of slums and blight on a spot or area basis per 24 CFR Part 570.483(c); and

Whereas, (Name of Local Government) feels that the rehabilitation, conservation, and redevelopment of the area is necessary to facilitate the elimination and prevention of slums and blighting influences to the surrounding area and that these actions are necessary to the public health, safety, and welfare of (Name of Local Government).

Now, therefore be it resolved, that (Name of Local Government) hereby approves this Resolution.

Adopted and made effective this _____ day of _____, 200__.

Appendix E

GEORGIA CODE OF ETHICS FOR GOVERNMENT SERVICE

§ 45-10-1. Establishment and text of code of ethics for government service generally: There is established for and within the state and for and in all governments therein a code of ethics for government service which shall read as follows:

CODE OF ETHICS FOR GOVERNMENT SERVICE

Any person in government service should:

- V. Put loyalty to the highest moral principles and to country above loyalty to persons, party, or government department.
- VI. Uphold the Constitution, laws, and legal regulations of the United States and the State of Georgia and of all governments therein and never be a party to their evasion.
- VII. Give a full day's labor for a full day's pay and give to the performance of his duties his earnest effort and best thought.
- IV. Seek to find and employ more efficient and economical ways of getting tasks accomplished.
- VIII. Never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not, and never accept, for himself or his family, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of his governmental duties.
- VI. Make no private promises of any kind binding upon the duties of office, since a government employee has no private word which can be binding on public duty.
- VIII. Engage in no business with the government, either directly or indirectly, which is inconsistent with the conscientious performance of his governmental duties.
- VIII. Never use any information coming to him confidentially in the performance of governmental duties as a means for making private profit.
- IX. Expose corruption wherever discovered.
- X. Uphold these principles, ever conscious that public office is a public trust.

